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New Jersey Collector

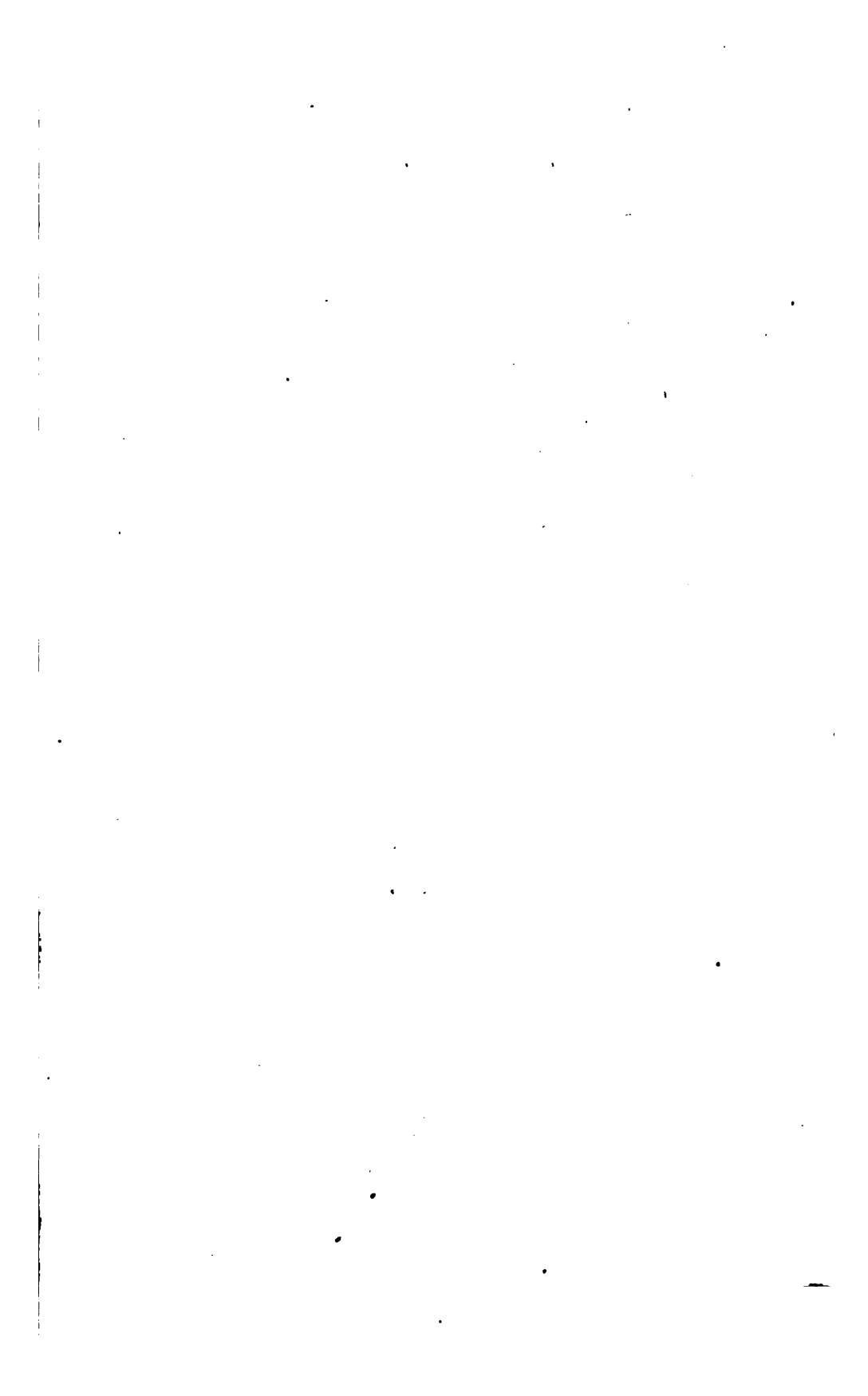






LAWS—NEW JERSEY  
1917









# ACTS

OF THE

## One Hundred and Forty-first Legislature

OF THE

STATE OF NEW JERSEY

AND

## Seventy-third Under the New Constitution



TRENTON, N. J.

MACCRELLISH & QUINCY Co., State Printers

1917

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VIA RAIL ON

The following laws, passed by the One Hundred and Forty-first Legislature, are published in accordance with "An act for the publication of the laws," passed June 13th, 1895, and "A supplement to the act entitled 'An act relative to statutes,' " approved March twenty-seventh, eighteen hundred and seventy-four, which supplement was approved February 4th, 1896.

The proclamations of the Governor follow. An index of all the laws, compiled in accordance with the act of 1895, completes the work.

• THOMAS F. MARTIN,  
*Secretary of State.*



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OF THE  
One Hundred and Forty-first Legislature  
of New Jersey

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# LAWS.

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# ACTS

PASSED BY

## The One Hundred and Forty-first Legislature.

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### CHAPTER I.

An Act to provide for the payment by the State of New Jersey to Lehigh Valley Railroad Company of the moneys decreed to be paid to it by the State, by the final decree of the Chancellor in the suit of Robert H. McCarter, Attorney-General, complainant, against Lehigh Valley Railroad Company of New Jersey and others, defendants.

WHEREAS, An information was heretofore filed by the Attorney-General of the State of New Jersey in the Court of Chancery against Lehigh Valley Railroad Company of New Jersey, Lehigh Valley Railroad Company and Central Trust Company of New York, praying that a certain deed of grant of July twelfth, eighteen hundred and eighty-nine, made and executed by the Riparian Commission of the State of New Jersey to the Lehigh Valley Railroad Company be declared and decreed to be null and void and of no effect as against the State, and the State of New Jersey decreed to take, have and hold the estate purported to be granted to the Lehigh Valley Railroad Company in and by said deed of grant dated July twelfth, eighteen hundred and eighty-nine, and in and to the lands described therein, free and clear of any cloud or uncertainty cast upon the title of the State by reason of said deed, upon such equitable terms as the said court established by its decree; and

Preamble.

Preamble.

WHEREAS, Afterwards, and on the eighteenth day of May, nineteen hundred and eleven, the Court of Chancery by its final decree entered in said cause did adjudge and decree that said deed, purporting to convey the lands and premises in said decree described, was executed and delivered without any legal warrant or authority and is ultra vires, and shall be set aside and declared null and void and of no effect, and the title of the State to the reversionary interest and estate in the said land and premises shall be free and clear, and freely and clearly acquitted and discharged of and from all right, title and interest of the said several defendants arising or growing out of said deed of July twelfth, eighteen hundred and eighty-nine, upon the terms and conditions in the said decree set forth, namely; that the State shall pay or cause to be paid to the treasurer of the Lehigh Valley Railroad Company for said company, on or before the first Tuesday of July, nineteen hundred and thirteen, or within such further time as shall hereafter be allowed by the decree of this court for making such payment, the sum of forty-eight thousand dollars (\$48,000), with interest from December twentieth, eighteen hundred and eighty-nine, which said decree of the Court of Chancery was afterwards in all things affirmed by the Court of Errors and Appeals of this State, by its decree entered March twentieth, nineteen hundred and sixteen; and

Preamble

WHEREAS, The Chancellor, by his decree entered on the eighteenth day of June, nineteen hundred and sixteen, ordered that the time for the payment of said sum of forty-eight thousand dollars (\$48,000), with interest thereon from December twentieth, eighteen hundred and eighty-nine, be extended to March first, nineteen hundred and seventeen, and that March first, nineteen hundred and seventeen, be fixed as the time for the payment of said sum with interest, and that upon the payment of the said moneys on or before the date aforesaid to the treasurer of the Lehigh Valley Railroad Company for

the said company, the final decree of this court should take effect and be in force as if the said moneys had been paid to the treasurer of the Lehigh Valley Railroad Company for the said company on or before the first Tuesday of July, nineteen hundred and thirteen, as in said final decree provided:

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. That the sum of one hundred and twenty-six thousand, three hundred and fifty (126,350) dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated out of and from any moneys now in the State treasury in payment of the moneys so decreed to be paid to the treasurer of the Lehigh Valley Railroad Company for the said company by the State of New Jersey, the same to be paid by the Treasurer of the State upon the warrant of the Comptroller. Appropriation.

2. This act shall take effect immediately.

Approved January 30, 1917.

WALTER E. EDGE,  
*Governor.*

## CHAPTER 2.

An Act making appropriations for supplies and equipment for the use of the National Guard and Naval Reserve and for services of the members thereof in safeguarding property.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey.*

1. The sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purchase of supplies and equipment and payment of expenses for the National Guard and Naval Appropriation  
for guarding  
property.

Reserve of this State and for the payment of the members of said National Guard and Naval Reserve while in the service of this State in safeguarding property. Such sum, or so much thereof as may be necessary, shall be disbursed by the Quartermaster General upon the approval of the Governor.

2. This act shall take effect immediately.

Approved February 7, 1917.

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### CHAPTER 3.

An Act to authorize the representation of the State of New Jersey in the Inaugural Ceremonies of the Honorable Woodrow Wilson as President of the United States, on March fifth, nineteen hundred and seventeen, and making appropriation for the expenses thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Participation  
in presidential  
inauguration.

1. The Governor of this State is hereby authorized and requested to cause to be issued the necessary orders for the participation of one battery of field artillery and two troops of cavalry, part of the National Guard of this State, in the Inaugural Ceremonies at Washington, on the fifth day of March, nineteen hundred and seventeen.

Appropriation.

2. To cover the expenses of this movement, and of the Governor and Staff, the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated.

3. This act shall take effect immediately.

Approved February 28, 1917.

## CHAPTER 4.

A Supplement to an act entitled "An act concerning trust companies (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever a corporation organized under the act to which this act is a supplement has failed or shall hereafter fail to file with the Commissioner of Banking and Insurance the certificate of payment of its capital stock within the time required by law, and has not obtained the certificate of authority to transact business from such Commissioner of Banking and Insurance, and such corporation has received moneys from subscribers to its capital stock, the Commissioner of Banking and Insurance may extend the time for filing the certificate of such payment for a period not to exceed ninety days from the time originally limited for such purpose. The granting of such extension by said commissioner shall reinstate such trust company and entitle it to all its franchises and privileges, and the certificate of incorporation of such company shall be valid and effectual.

Time extended  
for filing cer-  
tificate of pay-  
ment of capi-  
tal stock.

Effect of  
extension.

2. This act shall take effect immediately.

Approved February 28, 1917.

## CHAPTER 5.

An Act to amend an act entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings," passed March twenty-fourth, one thousand eight hundred and ninety-nine, as amended by act passed April twelfth, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act to which this is an amendment, which act was amended by the act of April twelfth, one thousand nine hundred and twelve, be and the same is hereby further amended to read as follows:

Chain and rope  
escape in cer-  
tain hotels.

1. Independent of, or in addition to, the external iron fire-escapes or escapes that may be required by any law of this State upon any hotel or large boarding-house for the accommodation of the public, or upon any lodging house whenever any of said buildings can accommodate thirty or more individuals and are three or more stories in height, it shall be the duty of the owners of all said buildings to provide and cause to be securely affixed to a bolt through the wall near the window head, inside of at least one window in each and every room on the third floor, and in each and every room on each higher floor of every such building, a chain at least ten feet in length, with a rope at least one inch in diameter securely attached thereto of sufficient length to extend to the ground or other place of landing, or any other appliance, as a substitute for such rope and chain escape, that may be approved by any chief building inspector of any city of this State, or other official or board of officials, whose duty it is to inspect fire-escapes, or by any board of aldermen or other official board of any town, borough, or any township of this State, by whatever names such authorities may be known; the



rope escape in each room shall be carefully coiled and kept in an unlocked box near the sill of the window to which the escape is attached; and in each room there shall be posted a printed notice descriptive of such rope escape; also a gong shall be placed in each corridor of each of said buildings capable of being heard throughout each of said buildings, to be sounded in case of alarm of fire; *provided*, that the provisions of this act shall not apply to fireproof hotel buildings, which are hereby defined as follows: hotel buildings having all their columns, beams and girders of structural steel or re-enforced concrete, with fireproof floor, roof and wall construction, and fireproof interior partitions, and having fireproof stairways, or exterior wrought-iron fire-escapes, providing a means of escape in case of fire or other casualty; but such buildings may be constructed with wooden top flooring, save in the stairways and entrance halls, and with wooden sleepers, doors, windows and stair hand-rails, and with rough wooden frames built in the walls and partitions to which the doors and windows may be fastened.

Gongs.

Proviso: fire-proof buildings excepted.

Approved March 7, 1917.

## CHAPTER 6.

An Act to amend an act entitled "A supplement to an act entitled 'An act relative to the State House and adjoining public grounds,'" passed May twenty-fifth, one thousand eight hundred and ninety-four, approved April third, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Paragraph one of the act referred to in the title of this act is hereby amended to read as follows:

Paragraph 1 amended.

Acquisition  
by State of  
property  
adjacent to  
State House.

1. The Governor, Treasurer and Comptroller, constituting the State House Commission, are hereby authorized to acquire, by gift, grant, purchase, condemnation, through a municipal action, or in any other lawful manner, in the name of the State and for its use, so much land in the city of Trenton, with the buildings thereon erected, lying between West State street and the Delaware river, between the State House grounds as at present laid out and Willow street, as in their discretion they may think desirable; *provided, however*, that the right of condemnation shall not extend to the premises occupied by the Old Barracks Association, the Masonic Temple.

Proviso.

2. This act shall take effect immediately.  
Approved March 7, 1917.

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## CHAPTER 7.

An Act to authorize any township in this State to expend certain moneys for advertising and civic display purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Township  
advertising.

1. The township committee of any township in this State is hereby authorized and empowered to use, apply and expend, in the discretion of said committee, a portion or all the moneys, revenues and fees derived from township ordinances, and not devoted by law or ordinance to other purposes, for advertising the advantages of said township for the purpose of increasing its population and trade and for civic display purposes, including therein the decorating of the streets, public buildings and public places of said township.

2. This act shall take effect immediately.  
Approved March 7, 1917.

## CHAPTER 8.

An Act to repeal section one of an act entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' passed March thirtieth, one thousand eight hundred and eighty-six," which supplement was approved April eighth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' passed March thirtieth, one thousand eight hundred and eighty-six," approved April eighth, one thousand nine hundred and fifteen, be and the same is hereby repealed.

Section 1  
of Chap. 254,  
Laws of 1915,  
repealed.

2. This act shall take effect immediately.

Approved March 7, 1917.

## CHAPTER 9.

An Act to authorize the construction, reconstruction, paving, repaving, improvement or repair of streets and highways in villages of this State and the assessment of benefits upon the property specially benefited thereby.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Street im-  
provement in  
villages.

Expenses.

Assessments.

Assessments  
a lien.

1. The board of trustees or other governing body of any village in this State shall have power to pass, alter or repeal ordinances for the construction, reconstruction, paving, repaving, maintenance, repair or other improvement of any street or highway in such village, and to provide that the expense of such public work shall be assessed upon the lands and real estate peculiarly benefited thereby in amounts not to exceed the actual benefits resulting to such lands or real estate by reason of such improvements; said assessments, however, not to exceed in the whole such proportion of the total cost of such public work as shall be fixed by such ordinance; the balance of the total cost of such public work to be paid by the village at large.

2. It shall be the duty of the board of assessments or other body charged with the duty of making assessments for public improvements in said village to assess the benefits arising from such public works against the lands or real estate peculiarly benefited thereby in an amount not to exceed such benefits; the total amount of assessments so levied not to exceed the proportion of the total cost of such public work fixed by the ordinance authorizing the same.

3. Such assessments, when made, together with interest thereon and all costs and fees, shall be a lien on the lands so assessed in the same way as assessments for other public improvements in such village are liens, and shall be enforced in such manner as other liens for public improvements are now enforced in such village.

4. All proceedings taken hereunder by the board of trustees or other governing body of such village, or by the board of assessments thereof, shall in all respects conform to the proceedings provided by law in such village with respect to the passage, alteration or repeal of ordinances for the making of other public improvements therein and the levying of assessments therefor.

Course of proceedings.

5. This act shall take effect immediately.

Approved March 7, 1917.

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## CHAPTER 10.

An Act validating the sale of certain lands, hereditaments or real estate made under any decree, judgment, or order of any court of this State, or any execution or other process issued thereon.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by virtue of any decree, order or judgment of any court of this State, or any execution or other process issued thereon, shall be invalidated by reason of any omission to advertise such sale or any adjournment thereof in the manner and for the length of time then required by law, or by reason of any other irregularity or default in such advertisement, but the purchaser or purchasers of such lands, tenements, or hereditaments or real estate having paid the price therefor and having received his, her or their deed therefor, and his, her or their heirs, successors or assigns shall be deemed to have as good and complete title thereto as if such sale or adjournment had been in all particulars duly advertised.

Faulty advertising not to invalidate title.

2. This act shall take effect immediately.

Approved March 9, 1917.

## CHAPTER II.

An Act to amend an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 70  
amended.

1. Section seventy of the act of which this is an amendment be and the same is hereby amended to read as follows:

When nolle  
prosequi may  
be entered.

70. The court in which any indictment is found, or to which any indictment is transferred, and in which such indictment is pending, may at any time after the term in which such indictment was found by rule of court direct that such indictment shall be brought on for trial on a specified day, and in case such indictment is not moved for trial on said day, the court may order the clerk of the court to enter a rule of nolle prosequi to such indictment, and when such rule is entered all proceedings under said indictment as against the defendant therein named shall be at an end as fully as if the defendant had been tried and acquitted thereon.

Repealer.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 9, 1917.

## CHAPTER 12.

An Act to authorize any city, for the purpose of housing and caring for the poor of such city, to acquire lands, within or without such city, by purchase or condemnation, to improve such lands, to erect, reconstruct, enlarge and furnish buildings, and to sell lands and buildings used for said purpose.

BE IT ENACTED by the Senate and General Assembly of the State or New Jersey:

1. Every city in this State shall have power to acquire by purchase or condemnation, lands, rights or interests in land, and buildings, within or without the limits of such city, to improve said lands, and to construct, reconstruct, enlarge, alter and furnish buildings for the purpose of caring for the poor of such city. No land or building outside of the limits of the city shall be acquired or erected for said purpose, without the consent of the governing body of the municipality in which such land is situated. The procedure for condemnation of lands for such purposes shall be as provided in the act of the Legislature of this State entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto.

City may condemn property for use of the poor.

Procedure.

2. Every city shall have power to sell any property of such city, used for the purpose of housing or caring for the poor of such city, which the board or body having charge of the finances of the municipality deems to be no longer useful for said purpose. Notice of any such intended sale shall be given by publication once a week for at least two weeks in an official newspaper of the city.

Sale of unsuitable property.

Powers vested  
in board of  
finance.

3. The powers conferred by this act shall be vested in the board or body having charge of the finances of the city. No petition or election shall be necessary for the exercise of such powers.

Powers  
deemed addi-  
tional.

4. The powers conferred by this act shall be deemed to be in addition to and independent of any and all powers and authority conferred by any other law or laws, and not subject to any limitation contained in any such other law or laws.

5. This act shall take effect immediately.

Approved March 9, 1917.

### CHAPTER 13.

An Act to amend an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 6  
amended.

I. Section six of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve, be and the same is hereby amended to read as follows:



6. The terms of office of all officers then holding office under appointment by the board of chosen freeholders existing in any county at the time of the reorganization of said board under this act in such county, shall not be affected by this act, but the officers then holding office shall continue in office during the terms for which they were originally appointed or elected and until their successors shall have been appointed or elected and shall have duly qualified; and, thereafter, all offices to be filled by said board of chosen freeholders shall be for the term of three years; *and provided, further*, that nothing in this section contained shall apply to or in anywise affect any honorably discharged soldier or sailor of the United States, or the widow of such soldier or sailor, in office at the time of the adoption of this act in any such county, but any and all such persons shall continue and remain in their respective offices the same as if this act had not been passed, and shall be removed only for cause.

Term of officers.

Proviso.

Approved March 13, 1917.

#### CHAPTER 14.

An Act to establish a State Highway System, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The State Highway Commission shall as soon as practicable lay out routes for a State Highway System as follows:

Routes for highway system.

#### ROUTES.

Route No. 1. From Elizabeth to Trenton, by way of Rahway, Metuchen, New Brunswick and Hightstown.

Route 1.

- Route 2.       Route No. 2. From Trenton to Camden, by way of Bordentown, Fieldsboro, Roebling and Burlington.
- Route 3.       Route No. 3. From Camden to Absecon, by way of Berlin and Hammonton.
- Route 4.       Route No. 4. From a point on Route No. 1 in or near Rahway to Absecon, by way of Perth Amboy, Keyport, Middletown, Red Bank, Long Branch, Asbury Park, Point Pleasant, Lakewood, Toms River, Tuckerton and New Gretna.
- Route 5.       Route No. 5. From Newark to the bridge crossing the Delaware river about two miles above Delaware, by way of Morristown, Dover, Netcong, Budd's Lake, Hackettstown, Buttsville and Delaware.
- Route 6.       Route No. 6. From Camden to Bridgeton and Salem, by way of Woodbury, Mullica Hill, Woodstown and Pole Tavern.
- Route 7.       Route No. 7. From Hightstown to Asbury Park, by way of Freehold, Jerseyville and Hamilton.
- Route 8.       Route No. 8. From Montclair to State line at Unionville, by way of Singac, Wayne, Pompton Plains, Butler, New Foundland, Stockholm, Franklin Furnace, and Sussex.
- Route 9.       Route No. 9. From Elizabeth to Phillipsburg, by way of Westfield, Plainfield, Bound Brook, Somerville, White House, Clinton, West Portal and Bloomsbury.
- Route 10.      Route No. 10. From Paterson to Fort Lee Ferry, by way of Dundee Lake and Hackensack.
- Route 11.      Route No. 11. From Newark to Paterson, by way of Belleville, Bloomfield, Nutley and Passaic.
- Route 12.      Route No. 12. Paterson to Phillipsburg, by way of Little Falls, Pine Brook, Parsippany, Denville, thence over Route No. 5 to Budd's Lake, thence to Washington and Broadway.
- Route 13.      Route No. 13. New Brunswick to Trenton, by way of Kingston, Princeton and Lawrenceville.
- Route 14.      Route No. 14. From Egg Harbor City to Cape May City, by way of Mays Landing, Tuckahoe and Cape May Court House.
- Route 15.      Route No. 15. From Bridgeton to Cape May Court House, or such other point on Route No. 14 as may be determined by the State Highway Commission.

Said routes shall be as short and direct as practicable between the points specified, due regard being had for the other requirements of the act.

Direct as practicable.

Existing highways may be made use of wherever it is convenient so to do, but the commission may lay out, open and improve new roads over acquired rights of way, and may also lay out routes in continuation of, connecting with, or in addition to the routes above specified.

Use of exist-roads.

2. The State Highway Commission shall from time to time cause to be prepared a road map or plan of the State showing thereon the State highways and county roads.

Road map.

3. When, in its discretion, it shall see fit so to do, the State Highway Commission shall give notice in writing, which may be served by mailing to the presiding officer or clerk of the governing body in charge, that the said commission will upon a day to be fixed in said notice, and not less than thirty days from date thereof, give a hearing to all parties interested thereon, and shall after said hearing determine by resolution whether any routes, route or parts thereof, if any, shall be taken over as a State highway, and shall notify such governing body of such action. Upon the passage of such resolution, such routes, route, or part thereof, shall become a State highway, and its further improvement, maintenance and repair shall be at the expense of the State under the jurisdiction of the State Highway Department; *provided, however*, that whenever the governing body, or other jurisdiction from which said highway is taken over, has rights or benefits by virtue of an understanding, agreement, award or contract with any public utility or other company, firm, individual or corporation, to repair, maintain or construct all or any part of such highway, or to deliver or execute any other source of obligation with respect thereto, the said undertaking shall remain in force, and all such contractual or agreement rights, duties and benefits shall pass to and be taken over and assumed for the State by the State Highway Commission. All the terms, con-

Notice of intent to take over route.

Action taken.

Proviso

Fulfillment  
of contracts.

ditions and requirements of such agreements or contracts shall be fulfilled to the State by any public utility or other company, firm, individual or corporation, in the same manner as if they had been originally made between the State and said companies, firms, individual or corporations.

When act  
suspended.

4. If at the time when it is proposed to take over any highway, a contract for any work thereon, shall have been awarded but the work thereunder not completed, the further operation of this act with respect to such highway or part thereof shall be suspended until the completion of such work.

Reimburse-  
ment of coun-  
ties for work  
done on cer-  
tain roads.

5. If when any highway is taken over by the State under this act, any county shall have improved, reconstructed or made any extraordinary repairs upon the same, or any part thereof, under a contract or contracts awarded after the first day of March, one thousand nine hundred and sixteen, the State Highway Commission shall first set aside from the funds under its control herein provided for a sufficient sum of money to reimburse such county for all money expended by it on such work, whether the moneys so expended were raised by the issue of bonds or otherwise, exclusive, however, of all moneys which may have been received by such county in the form of State aid, and expended as part of the cost of such extraordinary repairs or reconstruction.

Proviso.

*Provided, however,* that no such repayment shall be made, by virtue of any award of contract made therefor after the date upon which this act shall take effect, unless some proceeding concerning such contract has been heretofore begun or said contract shall have been approved by the State Highway Commission, before the execution thereof. For the purpose of determining the amount of money expended by any such county as aforesaid, the county engineer shall prepare and file with the State Highway Commission a detailed certificate of the moneys so expended by such county, and shall be accepted as fixing the amount so expended by such county; *provided, however,* that such work shall be equal to that required by the provisions of this act.

Detailed cer-  
tificate of ex-  
penditures.

Proviso.

In case any money thus repaid to any county was raised by sale of bonds an amount equal to the amount thus raised, shall be used to retire said county bonds or invested in such manner as may be lawful for sinking funds.

Retiring  
county bonds.

6. The State highways herein provided for shall be paved with granite, asphalt, or wood blocks, bricks, concrete, bituminous concrete, sheet asphalt or other pavement having a hard surface and of a durable character. But nothing in this act shall be held to prevent the State Highway Commission from maintaining roads heretofore improved with other materials with their present or similar surfaces pending their paving with materials complying with this act. In all cases the width of the pavement shall be at least eighteen feet and the total width of the roadway shall be at least thirty feet. All sharp turns and angles and railroad grade crossings shall be eliminated wherever practicable.

Paving material to be used.

Maintenance of existing roads.

Width of road and pavement.

Angles and grade crossings.

7. The State Highway Commission shall take charge of all work on State highways and maintain the same in good order. All work of improvement, betterment, reconstruction, or resurfacing shall be done in accordance with plans and specifications prepared by the State Highway Department. All work of maintenance, repair and extraordinary repair shall be done at the expense of the State and may be done either as an independent contractor or employer or through contracts made in the name of the State of New Jersey.

All work and repairs done by State.

8. For any road in the State Highway System prior to its taking over as a State highway, as provided by this act, no consent, grant or franchise for the laying in or upon it of any railroad or street railway crossings, gas pipes, water pipes, electric conduits or other piping, telegraph, telephone, electric light or power poles shall be given except under such restrictions, regulations and conditions as are or shall be approved and officially made known by the State Highway Commission to the body with authority to issue such privilege. No issue of such consent, grant or franchise by any public body shall operate as a waiver of liability in favor of the person, firm, company or corporation lay-

Use of roads by public utilities

ing or erecting such works in or upon such highway or any portion thereof.

State highways  
in certain  
townships  
only.

9. No State highway shall extend into any municipality other than township of a population exceeding twelve thousand in number, as determined by the most recent census. With such municipality, the streets or roads of which will form proper connections of State highways, the State Highway Commission shall enter into contract for work which shall place such streets or roads in a condition which will be in keeping with the nature of the State highways approaching and leaving such municipality.

Termination  
of contracts.

Such contracts shall terminate on the thirty-first day of October in each and every year.

Rights and  
powers of  
highway com-  
mission.

10. In the construction, repair and maintenance of highways, forming a part of the State Highway System, the said commission shall possess and exercise, in addition to those conferred by this act, all those rights and powers, not incompatible with its functions nor prohibited by law, which are now exercised by overseers of roads and boards of chosen freeholders in road construction, repair and maintenance.

Agreement  
with other  
bodies for  
co-operation.

11. It shall be lawful for the State Highway Commission to enter into written agreement with any board of chosen freeholders or other public body, or any person or corporation for co-operation in any work, and to assume any portion of that cost. Such board or public body may raise their proportionate share of such cost in accordance with the provisions of any law providing for road improvement or maintenance. Upon approval by the said commission of the certificate of the inspector and engineer in charge of the work that the same has been satisfactorily completed in whole or in part, according to contract, drawings and specifications, the disbursing officer of said board or body shall pay its share of the whole or partial cost to the State Treasurer to the credit of the State Road Fund.

Provision for  
cost.

Payment on  
approval.

Contract for  
certain ma-  
terials.

12. The State Highway Commission may enter into a contract with any person, company, firm or corporation, public or private, for the acquisition of any necessary lands, or easements for gravel pits or other natural

deposits of road materials, advantageously located to the State highways, and may take title in the name of the State.

13. All work of construction or building of unimproved roads and of extensive repairs to improved roads taken over as State highways shall be by contract or by labor of inmates of State institutions.

Work done by contract or inmates of State institutions.

14. The State Highway Commission shall advertise for bids on the work and materials covered by the plans and specifications, and may divide the same into two or more contracts, but all bids for the whole or as subdivided shall be submitted at the one time. Such advertisement shall be by public notice published for at least three weeks before the contract may be awarded, at least once a week in each of two newspapers printed in the county or counties where such roads are located, and in one other newspaper in Trenton, and may be inserted in one or more American engineering periodicals. The advertisements shall give a brief description of work and materials required, specify where plans and specifications can be seen, or had, the hour, the date, and place where the sealed proposals will be received and publicly opened and read, and such other pertinent information the commission may include.

Proposals invited by advertisement.

15. The commission may reject any or all bids not in accord with the advertisement of specifications, or for other irregularity, or may reject any or all bids if the price for work or materials is excessively above the estimated cost or for any other cause. The State Highway Engineer shall prepare a list of the bids, including any rejected and the cause therefor, and the commission by resolution shall award the contract to the lowest responsible bidder.

Right to reject bids.

16. A certified check equal to at least ten per centum of the bid; *provided*, that in case the bid be less than five thousand dollars (\$5,000) the check shall be five hundred dollars (\$500) must accompany the same, drawn to the order of the State Treasurer, and shall be held as security that, if awarded the contract, the bidder will deliver the same, within ten days from the ratification of the award, properly signed and secured

Contract awarded lowest bidder.

Certified check to accompany bid.

Evidence of contractor's ability to perform work.

by a satisfactory bond. In case of the bidder's failure so to do, said check shall be forfeited to the State, as liquidated damages, and shall be applied and become a part of the State road fund. The commission may require, in addition to said certified check, such additional evidence of the ability of the contractor to perform the work required by the contract, as it may deem necessary or advisable.

Partial payment on contract.

17. Contracts may provide for partial payment on work of construction or maintenance, but not in excess of eighty per centum of the value of materials in place and of the work done. Where, however, the contract provides that a portion of the work may be deferred with the approval of the State Highway Commission, the sum withheld from the contractor may be not less than twenty-five per centum in excess of the value of such deferred work.

Annual report at close of fiscal year.

18. At the end of each fiscal year the State Highway Commission shall make to the State Comptroller a full financial report showing the available unexpended balances in the several accounts, also all outstanding liabilities, under contracts or other financial obligations to counties, municipalities, person, firm or corporation.

Definitions.

19. Wherever in this act the following words are used, they shall be held to have the meanings hereinafter given:

Department.

DEPARTMENT: The State Highway Department, acting through the action of the State Highway Commission, or such officials as may be by the Commission designated.

Commission.

COMMISSION: The State Highway Commission.

Engineer.

ENGINEER: The State Highway Engineer, or the Assistant State Highway Engineer, when designated.

Highway.

HIGHWAY: Any public right of way, whether opened or improved or not, including all existing factors of improvements.

State highway system.

STATE HIGHWAY SYSTEM: All highways included in the routes set forth in this act, or others added thereto, including all bridges, culverts, such necessary gutters, guard rails, along the route thereof.



**ROADS:** Highways other than streets, boulevards and parkways. Roads.

**STATE ROADS:** Roads taken over by the State and maintained by the State. State roads.

**COUNTY ROADS:** Roads taken over, controlled or maintained by the county. County roads.

**STREETS:** A highway in a thickly settled district where, in a distance of one thousand three hundred and twenty feet on the center line of the highway, there are twenty (20) or more houses within one hundred feet of said center line; or any highway which the governing body in charge thereof and the commission may declare a street; also all highways within incorporated municipalities of over twelve thousand population by the last census; the word "street" shall be deemed to include boulevards, parkways, speedways, being highways maintained mainly for purposes of scenic beauty or pleasure, or of which the public use is restricted. Streets.

**ROUTES:** A highway or set of highways including roads, streets, boulevards, parkways, bridges and culverts needed to provide direct communication between designated points. Routes.

**GOVERNING BODY:** The mayor and council, town council, village trustees, commission or committee of any municipality, including townships. And the board of chosen freeholders of any county. Governing body.

**TAKE OVER:** The action by the department in assuming the control and maintenance of any part or parts of the State Highway System. Take over.

**AUTHORITY:** Any governing body or public official charged with the care of any highway. Authority.

**IMPROVEMENT:** The original work on a road or right of way which converts the same into a road which shall, with reasonable repairs thereto, at all seasons of the year, be firm, smooth and convenient for travel. Improvement shall consist of location, grading, surface, and sub-surface drainage provisions, including curbs, gutters and catch basins, foundations, shoulders and slopes, wearing surface, bridges, culverts, retaining walls, intersections, private entrances, guard rails, shade trees, illumination, guide posts and signs, ornamentation. Improvement.

and monumenting. All of these component factors need not be included in an original improvement.

**Betterment.** **BETTERMENT:** Construction, subsequent to the original improvement, of any one or more of the component factors properly belonging to the original improvement, which may have been omitted in the original improvement of a road, or which adds to the value thereof after improvement.

**Reconstruction.** **RECONSTRUCTION:** Rebuilding with the same or different material of an existing improved road, involving alterations or renewal of practically all the component factors of which the original improvement consisted.

**Resurfacing.** **RESURFACING:** Work done on an improved road involving a new or partially new pavement, with or without change in width, but without change in grade or alignment.

**Maintenance.** **MAINTENANCE:** Continuous work required to hold an improved road against deterioration due to wear and tear and thus to preserve the general character of the original improvement without alteration in any of its component factors.

**Repairs.** **REPAIRS:** Limited or minor replacements in one or more of the component factors of the original improvement of a road which may be required by reason of storm or other happening in order that there may be restored a condition requiring only maintenance to preserve the general character of the original improvement of a road.

**Extraordinary repairs.** **EXTRAORDINARY REPAIRS:** Extensive or entire replacement, with the same or a different kind of material, of one or more of the component factors of the original improvement of a road, which may become necessary because of wear, disintegration or other failure.

**Jurisdiction.** **JURISDICTION:** The civil division of the State, over the roads of which any authority may have charge.

**Work.** **WORK:** The acquisition of land for any purpose connected with highways by lease, gift, purchase, demise, or condemnation, for temporary or permanent use; the laying out, opening, construction, improvement, repair and maintenance of highways; the building, repair and

operation of bridges; the building of culverts, walls and drainage, the planting of trees, the protection of slopes, the placing and repair of road signs and monuments, the opening, maintenance and restoration of detours, the elimination of grade crossings, the lighting of highways, the removal of obstructions to traffic and to the view, surveying and preparation of drawings and papers, the counting of traffic, the letting of contracts, purchase of equipment, materials and supplies, hiring of labor, and all other things and services necessary or convenient for the performance of duties imposed by this act.

20. In case any clause, proviso or section of this act shall be attacked in any court of competent jurisdiction and shall be declared to be invalid or unconstitutional, the clause, proviso or section so declared to be invalid or unconstitutional shall be excised from this act, but the remainder of the act shall stand.

As to constitutionality of act.

21. All acts or parts of acts inconsistent herewith are repealed, and this act shall take effect immediately.

Repealer.

Approved March 13, 1917.

## CHAPTER 15.

An Act to establish a State Highway Department and to define its powers and duties; and vesting therein all the powers and duties now devolved by law upon the Commissioner of Public Roads, and the existing State Highway Commission and Highway Commission.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. A State Highway Department is hereby established and the same shall be governed by a board to be known as the State Highway Commission, which shall consist of eight members, two of whom shall be qualified and

State highway commission—how composed.

competent engineers, and all of whom shall be residents of the State. The Governor shall, in addition thereto, be ex officio a member of the commission.

**Appointment.** The members of the State Highway Commission shall be appointed by the Governor, by and with the advice and consent of the Senate, for the following terms,

**Terms.** to take office on the date of the appointment: two for one year, two for two years, two for three years, and two for four years. Annually thereafter two members shall be appointed for a term of four years. The Governor shall have the power to summarily remove any or all members of the commission. Vacancies shall be filled for the unexpired terms.

**Vacancies.**

**No pay; expenses met.** The members of the commission shall receive no compensation for their services, but the State Treasurer shall, upon the warrant of the State Comptroller, reimburse them for their necessary expenses.

**Organization.** 2. Said commission shall organize each year by the selection of a chairman, and the appointment of a secretary, who shall be an employee of the department.

**Meetings.** The board shall hold not less than twelve stated meetings each year, and all stated meetings and the minutes thereof shall be open to the public.

**Engineer.** 3. The board shall elect a person who shall be known as the State Highway Engineer, who shall be a qualified and competent engineer, who has had actual experience in road and bridge construction and maintenance. He shall hold office for the term of five years, and shall devote his entire time and attention to the duties of his office. His salary shall be fixed by the board, and he shall also receive reimbursement for his necessary expenses, to be paid out of the treasury of the State. He shall furnish a bond to the State in the sum of ten thousand dollars, conditioned for the faithful performance of his duties.

**Term.**

**Salary.**

**Bond.**

**Assistant engineer.** The board shall elect an Assistant State Highway Engineer, whose qualifications shall be the same as those prescribed for the State Highway Engineer. His salary shall be fixed by the board, and he shall also receive reimbursement for his necessary expenses. He shall hold office for the term of five years. He shall fur-

**Salary.**

**Term.**

**Bond.**

nish a bond to the State in the sum of five thousand dollars conditioned for the faithful performance of his duties. The board shall have the power to summarily remove the State Highway Engineer or the Assistant State Highway Engineer, for cause after hearing.

Power of removal.

4. The board shall provide for the proper auditing of all accounts and moneys received or expended, and of labor performed or materials used in road work, and for the collection and tabulation of such statistics as may be proper or necessary for the use of the department in carrying out the provision of any law or laws.

Accountings.

5. All other appointees and employees shall be appointed and employed by the board as and when necessary, and their compensations and duties shall be fixed by said commission, subject always to the appropriations provided therefor. All such appointments and employments, excepting that of the State Highway Engineer and Assistant State Highway Engineer shall be within the civil service of the State. The State Highway Commission may by resolution delegate to the State Highway Engineer or the Assistant State Highway Engineer the authority to engage any employee, and to fix the wages and duties thereof, subject at all times to the approval of said State Highway Commission.

Assistants.

Civil service.

Delegated authority.

6. No member of the State Highway Commission shall, during the time for which he shall have been appointed, be elected or appointed by said commission to any office except that of chairman.

Office holding.

7. The State Highway Department shall be furnished with suitable accommodations in the State House, and elsewhere in the State as may be necessary, the same to be properly equipped for the transaction of its business.

Office and equipment.

8. The State Highway Department shall succeed to and exercise all the powers and perform all the duties now exercised or performed by or conferred and charged upon the State Commissioner of Public Roads or upon the existing State Highway Commission or the Highway Commission by virtue of any existing law or laws, and shall have full control and direction of all projects and work on State highways.

Powers and duties.

Transfer of  
funds and  
property to  
commission.

9. All unexpended balances of appropriation heretofore made for roads shall be transferred to the commission, but without any of the restrictions or conditions imposed thereon, excepting rights heretofore vested in any governing body by any State aid contract or certificate of allotment, as to which the commission shall discharge the duties and responsibilities now imposed on the State Commissioner of Roads. All property now held by the State Commissioner of Public Roads shall likewise be transferred to the commission.

Scope of  
power.

10. The work of the department shall be performed under the State Highway Commission, which shall have all power necessary therefor, without recital in detail. All action shall be determined by the State Highway Commission by the vote of a majority thereof. In case of a tie in any vote the Governor shall be requested to cast the deciding vote. The signature of the chairman of the State Highway Commission, or in his absence or disability the signature of a person designated by the commission, to any order, regulation, contract, bill or other paper or document required to be signed on behalf of the State Highway Department, shall be sufficient evidence of the authority therefor and authenticity thereof.

Action de-  
termined by  
vote.

Signature of  
chairman as  
evidence of  
authority.

Rules and  
regulations.

11. The State Highway Commission shall formulate and adopt such rules and regulations and prescribe duties for the conduct of the business, work and general administration of the State Highway Department, its officers and employees. The commission may purchase such material and equipment as shall be necessary for the competent, efficient and economical administration of the State Highway Department.

Equipment.

Additional  
powers.

12. In addition to, and not in limitation of, its general powers, the State Highway Commission shall have power—

Matters in-  
cident to high-  
ways.

a. To determine and adopt rules, regulations and specifications and to enter into contract covering all matters and things incident to the acquisition, construction, reconstruction, maintenance and repair of State highways.

b. To execute and perform as an independent contractor or through contracts made in the name of the State of New Jersey, all manner of work incident to the maintenance and repair of State highways.

Maintenance and repair.

c. To establish and maintain as an independent contractor or employer a patrol repair system for the proper and efficient maintenance and repair of State highways.

Patrol repair system.

d. To employ and discharge, subject to the provisions of the civil service act, all foremen and laborers, prescribe their qualifications and furnish all equipment, tools and material necessary for such patrol repair system.

Laborers, tools, etc.

e. To widen, straighten and regrade any State highway and to acquire any lands or rights therein by gift, devise, purchase or condemnation, according to the procedure as contained in an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March twentieth, one thousand nine hundred, and vacate any State highway or any part thereof.

Improve, etc., roads.

To do and perform whatever may be necessary or desirable to effectuate the object and purposes of this act.

Do what may be necessary.

To do and perform all acts now required by any law to be done and performed by the State Commissioner of Public Roads, the State Highway Commission or the Highway Commission. These powers are to be liberally construed.

General performance.

13. The funds provided to meet lawful expenditures appertaining to roads, as required under this act or any other law, shall constitute a State road fund. It shall include the appropriations made therefor by the Legislature, the receipts from motor vehicle licenses, and from fines for violations of chapter 113, Laws of 1906, its amendments and supplements, as therein provided, and from any State tax levied for that purpose; from Federal aid and other contribution, sales of condemned property, fines, penalties or damages for violation of any law providing for the protection of roads. An amount equal to the State road tax shall be expended

State road fund—how composed.

Use of fund.

for the extension and construction of State highways. The remainder of State funds may be expended for State aid to counties and municipalities, as provided by law, in the improvement of roads, in maintenance and repair of improved roads and in the building and repair of bridges and culverts; and in acquisition of toll roads and bridges; for the maintenance and administration of the State Department of Public Roads, the salaries or wages of its lawful officers, clerical, office help and employees, and traveling expenses of such, actually and necessarily incurred while in discharge of their official duties, and such other reasonable and proper expenses itemized and reported to the department, incurred while actually on the business of the State, as the State Highway Commission shall direct and approve; *provided, however*, that no funds shall be expended for State aid to counties or other municipalities unless the roads constructed therewith shall conform to such standards as shall be prescribed by the State Highway Department, and the said county or other municipality shall have entered into an agreement or contract with the State through the said department agreeing that such road or roads shall be kept in repair or condition by patrol or such other methods of repair as shall be adopted by said department.

Proviso.

Expiration  
of terms of  
present officials.

14. The term of office of the State Commissioner of Public Roads, of the members of the State Highway Commission and of the members of the Highway Commission shall terminate at the expiration of thirty days from the date this act takes effect.

As to constitutionality of act.

15. In case any clause, proviso or section of this act shall be attacked in any court of competent jurisdiction and shall be declared to be invalid or unconstitutional, the clause, proviso or section so declared to be invalid or unconstitutional shall be excised from this act, but the remainder of the act shall stand.

Repealer.

16. All acts or parts of acts inconsistent herewith are repealed, and this act shall take effect immediately.

Approved March 13, 1917.



## CHAPTER 16.

An Act to provide for the taxation of real and personal property in this State for State road purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There shall be annually, for a period of five years Annual State tax assessed and collected. from the date of the passage of this act, assessed, levied and collected in each of the municipalities of the counties of this State, a tax of one mill on each dollar of the value of all the real and personal property in every such municipality upon which municipal taxes are or shall be assessed, levied and collected. Procedure. Such tax shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are now assessed, levied and collected. Duty of municipal and county collectors. It shall be the duty of the collector or other officer having the custody of the collected taxes, on or before the twenty-second day of December in each year, out of the first moneys collected, to pay to the county collector of the county such State tax required to be assessed in his taxing district, and the county collector shall pay the said State tax, which he shall have so received from the taxing districts, to the Treasurer of the State on or before the twentieth of the next January, Paid to State treasurer. and the said State Treasurer shall place the same in the State road fund.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and if any section, clause or proviso of this act shall be attacked in any court of competent jurisdiction and shall be declared to be unconstitutional and void, the said section, clause or proviso so declared to be unconstitutional and void shall be excised from the provisions of this act, Repealer. As to constitutionality of act.

but the remainder of this act shall stand, and this act shall take effect immediately.

Approved March 13, 1917.

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## CHAPTER 17.

An Act to amend the title and body of an act entitled "An act for the taxation of all the property and franchises of persons, co-partnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto," approved March twenty-third, one thousand nine hundred.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title amended.     I. The title of the act to which this is an amendment be and the same is hereby amended to read as follows:

New title.     An act for the taxation of all the property and franchises of persons, co-partnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto, and except corporations taxable under the act entitled "An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places

in this State," approved May twenty-third, one thousand nine hundred and six.

2. Section one of the act to which this is an amendment be and the same hereby is amended to read as follows:

Section 1  
amended.

1. All the property, real and personal, and franchises of all persons, co-partnerships, associations or corporations, other than municipal or corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto, and other than corporations taxable under the act entitled "An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State," approved May twenty-third, one thousand nine hundred and six, or any of the supplements or amendments thereto, which have acquired or may hereafter acquire authority or permission from the State or from any taxing district thereof, and have or may hereafter have the right to use or occupy and occupying the streets, highways, roads, lanes or public places in this State, shall hereafter be valued, assessed and taxed as hereinafter provided.

All property  
and franchises  
subject to  
taxation.

3. Section four of the act to which this is an amendment be and the same hereby is amended to read as follows:

Section 4  
amended.

4. All such persons, co-partnerships, associations or corporations subject to taxation under the provisions of this act shall, on or before the first Tuesday in May in each year, return to the State Board of Taxes and Assessment a statement showing the gross receipts of their business over, on, in, through or from their lines, wires or mains in the State of New Jersey for the year ending December thirty-first next preceding; any person, co-partnership, association or corporation having part of his, her or its lines, wires or mains in this State and part thereof in another State or States, or having part of his, her or its lines, wires or mains on private property, and part thereof on public streets, highways,

Corporations,  
etc., shall  
make return  
to State board.

Gross receipts  
shown.

Length of line given.	roads, lanes or other public places, shall make a report showing the gross receipts of his, her or its business over, in, on and from the whole line, wires or mains, together with a statement of the length of the whole line, wires or mains, and the length of the line, wires or mains in this State, along any street, highway, road, lane or other public place; and the franchise tax of such person, co-partnership, association or corporation for business so done in this State, shall be upon such proportion of such gross receipts as the length of the lines, wires or mains in this State along, in, on or over any street, highway, road, lane or other public place, bears to the length of the whole line, wires or mains; all such statements or reports shall be subscribed and sworn to by the person, co-partners, or the president, vice-president or other chief officer of each association or corporation; any person, co-partnership, association or corporation, wilfully neglecting or refusing to make such annual statement or report shall forfeit as a penalty for such neglect or refusal not more than five thousand dollars, to be assessed by a jury for each offense, to be recovered in any proper form of action in the Supreme Court of this State, in the name of the State, and when collected shall be paid into the State treasury; it shall be the duty of the State Board of Taxes and Assessment to certify any such default to the Attorney-General of the State, who thereupon shall prosecute an action at law for such penalty; any person who shall falsely make any oath required to be made under this act shall be deemed guilty of perjury, and, on conviction thereof, liable to all the penalties prescribed by law therefor.
Basis of tax.	
Sworn statement.	
Penalty for neglect.	
Perjury.	
Section 5 amended.	4. Section five of the act to which this is an amendment be and the same is hereby amended to read as follows:
Franchise tax.	5. An annual franchise tax upon the annual gross receipts, as aforesaid, upon all persons, copartnerships, associations or corporations taxable under this act, shall be assessed as follows: the tax levied and assessed during the year one thousand nine hundred and seven-

teen computed upon the gross receipts of the year ending December thirty-first, one thousand nine hundred and sixteen, shall be two per centum; the tax levied and assessed during the year one thousand nine hundred and eighteen computed upon the gross receipts of the year ending December thirty-first, one thousand nine hundred and seventeen, shall be three per centum; the tax levied and assessed during the year one thousand nine hundred and nineteen computed upon the gross receipts of the year ending December thirty-first, one thousand nine hundred and eighteen, shall be four per centum; the tax levied and assessed during the year one thousand nine hundred and twenty computed upon the gross receipts of the year ending December thirty-first, one thousand nine hundred and nineteen, shall be five per centum; the tax levied and assessed annually thereafter shall be five per centum, upon the gross receipts of the year ending December thirty-first next preceding; *provided*, that those persons, copartnerships, associations or corporations, whose gross receipts shall not exceed the sum of fifty-thousand (50,000) dollars, shall be assessed at the rate of two per centum per annum upon such gross receipts.

Rates set out.

Proviso.

5. If any part of this act be adjudged unconstitutional, it shall not invalidate the remainder of this act.

As to constitutionality.

6. All acts and parts of acts inconsistent with the provisions of this act shall be and the same hereby are repealed, and this act shall take effect immediately.

Repealer.

Approved March 13, 1917.

## CHAPTER 18.

An Act to annex a portion of the township of Morris, in the county of Morris, to the town of Morristown, in said county.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Boundaries of  
portion of  
Morris town-  
ship annexed  
to Morristown.

1. All that portion of the township of Morris, in the county of Morris and State of New Jersey, lying within the following boundaries, to wit:

Beginning in the northerly side or bank of Speedwell pond at the high-water mark thereof as the same is mentioned and described in a certain deed given by the Morristown Improvement Association to The Mayor and Board of Aldermen of the Town of Morristown, dated October thirty-first, one thousand nine hundred and sixteen, at the intersection of said line with the line dividing the town of Morristown and the township of Morris; thence running up the said side of said Speedwell pond the several courses thereof to the middle of the Lake road; thence running along the middle of the Lake road in a westerly direction to the westerly line of the Sherman tract, near the easterly line of Whatnong brook, and in line of land late of Headley; thence south along the said Headley line about thirty feet to a corner on or near the easterly bank of said Whatnong brook; thence in an easterly direction and still along the Headley line one hundred and fifty-six and four-hundredths feet to a corner of the Sherman tract; thence southerly along the westerly line of the Sherman tract five hundred and eighty feet, more or less, to the southerly bank of the Whippany river; thence along the southerly bank of said river and of said Speedwell pond the several courses thereof to its intersection with the said line dividing the town of Morristown and the

township of Morris; thence northerly along said line to the beginning,

be and the same is hereby set off from the said township of Morris, in the county of Morris, and annexed to and made a part of the town of Morristown, in said county.

2. This act shall take effect immediately.

Approved March 14, 1917.

## CHAPTER 19.

An Act concerning assistant prosecutors in certain counties of this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The assistant prosecutor in each of the counties of this State which now have or hereafter may have a population of more than two hundred thousand inhabitants and not more than three hundred thousand inhabitants shall receive an annual salary of five thousand dollars.

Salary of certain assistant prosecutors.

2. It shall be lawful for the said assistant prosecutor to attend the sessions of the grand jury and render therein any service or perform any duty that might be rendered or performed by the prosecutor if he were present.

Duties.

3. Any assistant prosecutor now holding office in any such county shall hereafter be entitled to receive the annual salary as herein provided by filing in the office of the county clerk in any such county his assent in writing under his hand to accept the provisions of this act.

Acceptance of act.

4. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 14, 1917.

## CHAPTER 20.

An Act to amend an act entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State,' approved April twenty-fifth, one thousand nine hundred and eleven, the title of which was amended to read as above by act approved April second, one thousand nine hundred and twelve," approved April fifteenth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

I. Section one of the act to which this is an amendment be and the same is hereby amended to read as follows:

## RECALL.

Procedure to  
recall com-  
missioner.

I. The holder of the office of commissioner may be removed after a commissioner has been in office one year by means of a recall. The procedure to effect the recall of an "incumbent" of the office of commissioner shall be as follows:

Number neces-  
sary to sign  
petition.

A "recall petition" signed by at least thirty per centum of the electors shall be filed by the "agent" or "agents" designated in the petition with the "city clerk," demanding the recall of the commissioner sought to be removed. The petition shall be as follows:

## RECALL PETITION.

Form of  
petition.

To the Clerk of the city of ..... (insert name of "municipality").

You are hereby requested to call a "Recall Election" for the recall of ..... (insert name of "incum-



bent" to be recalled), a Commissioner of .....  
 (insert name of "municipality"), for the following  
 reasons ..... (insert reasons), and for so doing  
 this "recall petition" shall be your sufficient warrant.

..... (insert name) is hereby designated  
 as our "agent" to file this petition.

Signed:

Name.

Street Address.

.....  
 .....

State of New Jersey, }  
 County of..... } ss.

....., being duly sworn according to law,  
 says: That he is one of the signers of the above petition,  
 and that he knows that the signatures thereon are in  
 the handwriting of the signers, and to the best of his  
 knowledge and belief are the signatures of the persons  
 purporting to sign the same.

Subscribed and sworn to before me }  
 this.....day of.....191 }

2. All acts and parts of acts inconsistent with this Repealer.  
 act are hereby repealed, and this act shall take effect  
 immediately.

Approved March 14, 1917.

## CHAPTER 21.

An Act to amend an act entitled "An act to provide for  
 the election of a county collector, and steward of  
 the county poorhouse, and of county auditor, in  
 the county of Burlington," passed March twenty-  
 fifth, one thousand eight hundred and seventy-two.

BE IT ENACTED by the Senate and General Assembly  
 of the State of New Jersey:

1. Section one of the act to which this is an amend-  
 ment shall be and the same is hereby amended so as to  
 read as follows:

Section 1  
 amended.

Election of  
certain coun-  
ty officers.

1. That at the first annual election for the members of the General Assembly of this State, after the passage of this act, and at such elections every third year thereafter, there shall be chosen, by the qualified electors of said county of Burlington, one person to be county collector of said county, and one person to be the steward of the poorhouse and the farm attached thereto, who shall hold their respective offices for the term of three years and one person to be county auditor in said county, who shall hold his office for three years; the electors of said county shall vote for said county collector, county auditor and county steward upon the same ballot with members of the General Assembly, in the same manner as the elections for the office of sheriff now are and may be required by law.

How to vote.

Section 18  
amended.

2. Section eighteen of the act to which this is an amendment shall be and the same is hereby amended so as to read as follows:

Salary of  
auditor.

18. That the said auditor of the county of Burlington, hereafter to be elected, shall be entitled to receive for his services the sum of one thousand dollars per annum, to be paid as the salaries of other county officers are paid, and shall not be entitled to have or receive any other fees or compensation whatever.

3. This act shall take effect immediately.

Approved March 14, 1917.

## CHAPTER 22.

An Act for extending the time for completing certain railroads.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Time limit  
extended.

1. Whenever the time limited for the completion of any railroad authorized to be constructed within this State under any special or general act has expired, or

shall expire before the thirty-first day of December, one thousand nine hundred and seventeen, such time shall be and the same is hereby extended for the further period of two years from the passage of this act; *provided, however*, that this act shall not apply unless money has actually been expended in surveys or location of route, or in acquisition of right of way or in construction since January first, one thousand eight hundred and eighty-six; *provided, further*, that this act shall not apply to any corporation unless such corporation shall first, and as the condition precedent to the exercise of any power granted by this act, file in the office of the Secretary of State an agreement, to be approved by the Governor and Attorney-General, waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law of this State now in existence or that may be hereafter passed taxing such corporations as are now authorized to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing further that all laws affecting such corporations shall be subject to alteration or repeal by the Legislature. *Provided, however*, that any railroad company that has heretofore filed an agreement such as above described, under the provisions of any previous act of the Legislature for extending the time for completing certain railroads, shall have the time for the completion of its railroad extended as hereinabove provided without filing the agreement provided for in this act. *Provided, further*, that any agreement that has heretofore been filed by any corporation under any previous act extending the time for completing certain railroads, shall be as binding as if filed under the provisions of this act.

Proviso.

Proviso.

Exemption  
from taxation  
waived.

Proviso.

Proviso.

2. This act shall be deemed a public act, and shall take effect immediately.

Approved March 14, 1917.

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### CHAPTER 23.

A Supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Unlawful  
marriage.

1. Any person who, knowing himself or herself to be infected with a venereal disease, such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases, marries, shall be guilty of a misdemeanor.

Unlawful  
intercourse.

2. Any person who, while infected with a venereal disease, such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases, has sexual intercourse, shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved March 14, 1917.

## CHAPTER 24.

An Act to repeal an act entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters' (Revision), approved April fourteenth, one thousand eight hundred and forty-six," which supplement was approved April twenty-first, one thousand eight hundred and ninety-six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. An act entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters' (Revision), approved April fourteenth, one thousand eight hundred and forty-six," which supplement was approved April twenty-first, one thousand eight hundred and ninety-six, be and the same is hereby repealed. Act repealed.

2. This act shall take effect immediately.

Approved March 14, 1917.

## CHAPTER 25.

An Act to validate and confirm elections and other proceedings held or taken in any borough for the issuance of bonds, and to validate and confirm bonds or obligations issued or to be issued in conformity with propositions adopted at such elections, and to authorize the issuance of bonds to the amount and as provided in such propositions, and to authorize the doing of the work or the making of the improvement for which said bonds are to be issued.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating  
bond issue  
in boroughs.

1. Whenever an election has heretofore been called and held in any borough for the adoption of a proposition or propositions to issue bonds, and the notice of election stated the amount of the bonds and the purpose or purposes for which they were to be issued, and a majority of the votes cast at such election was in favor of the adoption of such proposition or propositions, the election and the propositions and all resolutions, ordinances and other proceedings taken in relation to the issuance of said bonds and the making of the improvement or doing of the work for which the bonds were to be issued, are hereby validated and confirmed, and all bonds or obligations issued or to be issued in conformity with such proposition or propositions and the issuance of bonds or obligations of such borough to the amount and as provided in such proposition or propositions is hereby authorized notwithstanding any defect, omission or irregularity in the proceedings taken for or leading up to the issuance thereof, and notwithstanding the fact that the proposition or propositions to do the work or make the improvement for which the bonds were to be issued were not

submitted separately to the voters of said borough, or the fact that the amount of the bonds issued or to be issued exceeds seven per centum of the average of the three next preceding assessed valuations of the taxable real property (including improvements) of such borough; *provided*, that said bonds shall mature, bear interest and be sold as provided by an act entitled "An act to authorize and regulate the issuance of bonds and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen; *and provided, further*, that in no case shall the amount of the bonds so issued or to be issued, together with all other outstanding indebtedness of such borough, exceed seven per centum of the next preceding assessed valuation of the taxable real property (including improvements) of such borough.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 15, 1917.

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## CHAPTER 26.

An Act to amend the title of an act entitled "An act providing for the pensioning of police officers and policemen in certain municipalities of this State," approved March thirtieth, nineteen hundred and eleven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The title of the act entitled "An act providing for the pensioning of police officers and policemen in certain municipalities of this State," approved March thirtieth, nineteen hundred and eleven, be and the same is hereby amended to read as follows:

Title amended.

New title.

An act providing for the pensioning of police officers and policemen, their widows, minor children and dependent parent or parents in certain municipalities of this State.

2. This act shall take effect immediately.

Approved March 15, 1917.

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### CHAPTER 27.

An Act to amend the title of an act entitled "A supplement to an act entitled 'An act providing for the pensioning of police officers and policemen in certain municipalities of this State,' approved March thirtieth, nineteen hundred and eleven," which amendatory act was approved March seventeenth, nineteen hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Title amended.

The title of a supplement to an act entitled "An act providing for the pensioning of police officers and policemen in certain municipalities of this State," approved March seventeenth, nineteen hundred and sixteen, be and the same is hereby amended to read as follows:

New title.

A supplement to an act entitled "An act providing for the pensioning of police officers and policemen, their widows, minor children and dependent parent or parents, in certain municipalities of this State," approved March seventeenth, nineteen hundred and sixteen.

2. This act shall take effect immediately.

Approved March 15, 1917.



## CHAPTER 28.

A Further Supplement to "An act to regulate fees," approved April fifteenth, one thousand eight hundred and forty-six (Revision of 1846-7, chapter 3, page 455).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. In all counties of the first class of this State the pay or salaries of the court attendants shall be as hereinafter specified; respectively:

Court attendants attached or assigned to the Circuit Court, Court of Oyer and Terminer and General Jail Delivery, Court of Common Pleas and General Quarter Sessions of the Peace in said counties, shall receive not more nor less than twelve hundred and fifty dollars for the first year of service; not more nor less than thirteen hundred dollars for the second year of service; not more nor less than thirteen hundred and fifty dollars for the third year of service; not more nor less than fourteen hundred dollars for the fourth year of service; not more nor less than fourteen hundred and fifty dollars for the fifth year of service, and for the sixth year of service and thereafter, not more nor less than fifteen hundred dollars per year.

The years of service for court attendants above mentioned shall be computed from the time of their respective appointments to the positions; all payments shall be made semi-monthly, which payments shall be in full, and in lieu and stead of all fees, mileage or other allowances heretofore allowed for the service of processes and duties of such court attendants. This act shall be applicable to the present incumbents as well as to future appointees.

Salary of  
court attend-  
ants.

Gradation  
of pay.

Service com-  
puted.

No fees.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved March 15, 1917.

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## CHAPTER 29.

An Act to authorize any railroad company to construct, maintain and operate a sub-surface railroad and station facilities in any city of the first class in this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Electric sub-way.

1. Any railroad company organized under any law of this State may construct and maintain a railroad to be operated by electricity beneath private property and beneath the surface of any street, highway, park, training ground or other public place in any city of the first class, together with a sub-surface station or stations, with necessary and convenient means of access thereto from the surface, upon obtaining the consent to such use by ordinance of the board of street and water commissioners in such city or of the governing body of any such city in which such board does not exist, on such terms as may be prescribed by said board or governing body and approved by the Board of Public Utility Commissioners; *provided*, that no railroad shall be constructed under this act for a distance of more than one-half a mile between its termini.

Terms and approval.

Proviso.

Acquisition of property.

2. Any railroad company, after obtaining such consent by ordinance and such approval thereof, may purchase or acquire by condemnation, in the manner provided by law, and hold, occupy and use all such property, real and personal, or any interest or estate therein, as may be useful or necessary for that purpose, and may

connect any railroad constructed in pursuance of this act with any existing railroad, and operate the same together. Connections.

3. Any corporation owning or constructing such sub-surface railroad and station or stations shall be and hereby is authorized to provide money to defray the cost thereof and approaches thereto, by the issue and sale of its stock or bonds, or partly by the issue and sale of bonds and partly by the issue and sale of stock, in such proportions as the board of directors of such company may determine, and to secure the payment of any bonds issued for that purpose by mortgage or deed of trust; *provided*, that any proposed issue of stock and bonds in pursuance of this act shall be first approved by the Board of Public Utility Commissioners. Provision for funds.

4. This act shall take effect immediately. Proviso.

Approved March 15, 1917.

## CHAPTER 30.

An Act to amend an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries, and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section seven of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries, and providing for the election and Section 7 amended.

terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve, be and the same is hereby amended to read as follows:

- Repealer.** 7. All acts and parts of acts, both general and special, inconsistent with this act, be and the same are hereby repealed; *provided, however,* that none of the foregoing provisions shall take effect in any county until the same shall have been adopted by vote of the legal voters of such county, except as hereinafter provided.
- Proviso.** The adoption of this act shall be submitted to vote in any county, at any election for members of the General Assembly. In order to require the submission of the question of the adoption of this act to be voted upon at any general election, a petition therefor, which shall be signed by at least ten (10) per centum of the qualified electors of such county as evidenced by the total number of votes cast at the then next preceding election for members of the General Assembly in such county, shall be filed with the clerk of such county.
- Referendum.** Said petition shall be filed with the county clerk of such county, at least ninety days before said general election, and when said petition is so filed a notice of the submission of the question of the adoption of this act shall be included and shall form a part of and shall be given in the same manner as notice is required to be given of elections for members of the General Assembly, and there shall be printed on each official ballot used at such general election, in addition to the details that are now required by law to be printed thereon, the following proposition: "Shall the act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)." approved April first, one thousand nine hundred and twelve, be adopted?" The legal voters of such county shall at the general election for
- Petition.**
- Petition filed with county clerk.**
- Question printed on ballot.**
- Method of voting.**

members of the General Assembly decide upon the acceptance or rejection of this act in the following manner: A voter may vote to adopt this act by marking an X mark in the square opposite the word "Yes," and to reject this act by marking an X mark in the square opposite the word "No," as the said squares are printed opposite the proposition to adopt this act, and said ballots so cast for or against this act shall be counted, and the result thereof returned by the election officers, and the canvass of such election had in the same manner, declared in the same manner as the result of an election for county officers, and if there should be a majority of votes so cast in favor of the adoption of this act, but not otherwise, this act shall take effect in each county so voting, immediately. All elections to be conducted under the provisions of this act shall be conducted pursuant to the provisions of an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight, and the various supplements and amendments thereto, so far as the same are deemed practicable, and not otherwise provided for in this act.

Canvass.

Election, how conducted.

2. This act shall take effect immediately.

Approved March 15, 1917.

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## CHAPTER 31.

A Supplement to an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The county board of taxation of each county shall annually ascertain and determine, according to their best knowledge and information, the general ratio or

County boards of taxation to ascertain ratio of assessments to value.

Table prepared.

Mailed to each assessor.

Meeting for equalizing assessments.

Hearing.

Confirmed table deemed true valuation.

Furnished State board.

percentage of full value at which the real property of each taxing district is assessed, according to the tax lists laid before the board. They shall prepare an equalization table showing the assessed valuation of the real property in each district, the ratio of percentage, if any, by which the assessed valuation should be increased or decreased in order to correspond to true value, and the true value of the real property within the district as determined by them. A copy of such table shall be mailed to the assessor of each district, and be posted at the county court house, at least one week before the hearings hereinafter provided for.

2. The county board of taxation in each county shall meet annually on the fourth Tuesday in August for the purpose of equalizing the assessments of real property between the several taxing districts of the county. At such meeting a hearing shall be given to the assessors and representatives of the governing bodies of the various taxing districts for the purpose of determining the accuracy of the ratios and true valuations of property as shown in the equalization table, and the board shall confirm or revise the table in accordance with the facts. Such hearings may be adjourned from time to time, but the equalization shall be completed before the second Tuesday in September. At the first hearing any taxing district may object to the ratio or valuation fixed for any other district, but no increase in any valuation as shown in the table shall be made by the board without giving a hearing, after three days' notice, to the governing body of the taxing district affected.

After the equalization table is finally confirmed by the board, the valuations of real property in each district as equalized shall be deemed to be the true valuation of such property in computing the total ratables of each district for all apportionments of county and State taxes, charges or distribution of moneys. A certified copy of such equalization table as confirmed shall be transmitted to the State Board of Taxes and Assessment.

3. Any equalization table may be reviewed by the State Board of Taxes and Assessment on complaint of any taxing district or taxpayer in the county, or on its own motion, but such review shall not suspend the apportionment or collection of taxes. No change shall be made in such table except after a hearing in the county, of which five days' notice shall be given by mail to the governing body of each taxing district. If after such hearing the State Board of Taxes and Assessment shall determine that the aggregate valuation of any district or districts as fixed by the county board was erroneous, the said State board shall revise and correct the equalization table, and shall ascertain the difference between the amount of State and county taxes actually charged against each district in the county and the amount which should have been charged according to the corrected table; such difference shall be debited or credited, as the case may be, to each taxing district on account of its share of State and county taxes next due, and the State Board of Taxes and Assessment shall have power to make all orders necessary to carry out the provisions of this section.

Table review-  
able.

State board  
may revise  
table.

As to differ-  
ence.

4. The State Board of Taxes and Assessment shall, annually after receiving from the county boards of taxation the abstracts of ratables as certified by such boards, inquire into and determine the general ratio or percentage of full value at which the real property within each county is assessed and listed for taxation, and shall prepare a State equalization table of county ratables, showing the assessed valuation of real and personal property in each county, the ratio or percentage, if any, by which the assessed valuation of real property of each county should be increased or decreased to correspond to true value, and the true valuation of real property as determined by the board. A copy of such table shall be mailed to the county board of taxation and director of the board of freeholders of each county, and posted at the State House, at least ten days before the hearing hereinafter provided for.

State equaliza-  
tion table pre-  
pared.

Table mailed  
to sundry  
officials.

5. The State Board of Taxes and Assessment shall meet annually on the second Tuesday in February at its

Equalizing  
assessments be-  
tween coun-  
ties.

Hearing.

Abstract of  
total ratables  
furnished  
comptroller.

office in Trenton for the purpose of equalizing the assessments between the several counties of the State. At such meeting a hearing shall be given to the county boards of taxation and representatives of the boards of freeholders for the purpose of determining the accuracy of the ratios and true valuations of property as shown in the State equalization table, and the State board shall confirm or revise such table in accordance with the facts. Such hearing may be adjourned from time to time, but the equalization shall be completed by the first day of March. At the first hearing any county may object to the ratio or valuation of any other county, but no increase in any valuation as shown in the table shall be made by the board without giving a hearing, after five days' notice to the board of freeholders of the county affected. The State Board of Taxes and Assessment shall prepare an abstract of the total ratables of the State, as returned by the county boards of taxation and corrected or confirmed by the board in accordance with the State equalization table, and transmit a certified copy thereof to the State Comptroller, who shall apportion the State school tax, State tax, or State moneys, as now directed by law, upon the ratables as shown in such abstract, which shall take the place for all such purposes of the annual abstracts heretofore filed by county boards of assessors or county boards of taxation in the office of the Comptroller under the provisions of section twenty-three of the act to which this act is a supplement.

Repealer.

Act effective.

6. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect the first day of May, one thousand nine hundred and seventeen.

Approved March 15, 1917.



CHAPTER 32.

An Act giving additional title to the State Agricultural College.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Rutgers Scientific School, being the State Agricultural College, the State College for the Benefit of Agriculture and the Mechanic Arts, maintained by the "Trustees of Rutgers College in New Jersey," and under the general powers of supervision and control of the Board of Visitors of the State Agricultural College, be and hereby is also designated the State University of New Jersey under the same general powers of supervision and control of the same board of visitors.

2. This act shall take effect immediately.

Approved March 15, 1917.

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CHAPTER 33.

An Act concerning the commission to investigate into the conditions of the penal, reformatory and correctional institutions of this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The commission heretofore appointed by the Governor, pursuant to the provisions of Senate Joint Resolution No. 1, approved January twenty-third, one thousand nine hundred and seventeen, is hereby confirmed and continued for the period of one year from the date when this act shall become a law. The commission so

Commission continued.

Duties and report.

continued shall be charged with the duties and vested with all the powers and shall perform its services upon the terms and conditions set forth in the said Joint Resolution No. 1, with the exception that the commission shall report to the session of the Legislature in one thousand nine hundred and eighteen the result of its research and its recommendations thereon.

Appropriation.

2. There is hereby appropriated, for the purpose of defraying the expenses to be incurred by the said commission, including the traveling expenses of the commission and its agents in visiting other institutions and the traveling expenses of such experts as the commission may request to appear before it, the sum of fifteen hundred dollars, when included in any annual or supplementary appropriation act, in addition to any appropriation for this purpose heretofore made.

3. This act shall take effect immediately.

Approved March 15, 1917.

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## CHAPTER 34.

An Act making appropriations for the improvement and betterment of conditions at the New Jersey State Prison at Trenton.

Preamble.

WHEREAS, The commission appointed pursuant to Joint Resolution No. 1, approved January twenty-third, one thousand nine hundred and seventeen, to investigate conditions in the penal, reformatory and correctional institutions of the State of New Jersey, has, by its preliminary report, made certain recommendations looking toward the improvement and betterment of conditions in the New Jersey State Prison; therefore,

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated for the several purposes herein specified: Sundry appropriations.

#### PHYSICAL AND MENTAL EXAMINATION.

For the purpose of making a physical and mental examination of all prisoners now confined in the New Jersey State Prison and a classification based upon the result of such investigation, including the salary of experts and the provision of the requisite apparatus and equipment to be expended by the Board of Prison Inspectors, under the supervision of the Governor and the chairman of the commission appointed pursuant to the provisions of Joint Resolution No. 1, approved January twenty-three, one thousand nine hundred and seventeen—five thousand dollars. Examination and classification of prisoners.

#### CONCRETE WALL AROUND EXERCISE GROUND.

For materials and supervision in connection with the building of a reinforced concrete wall around the vacant ground belonging to the State, adjoining the residence of the prison keeper, and for the equipment of the ground so enclosed as an exercise yard, to be expended by the Board of Prison Inspectors under the supervision of the Governor and the chairman of the commission appointed pursuant to the provisions of Joint Resolution No. 1, the labor thereon, so far as possible, to be furnished by the inmates of the New Jersey State Prison—five thousand dollars. Wall about exercise grounds.

#### RECONSTRUCTION OF WING THREE.

For materials and supervision in connection with the alteration of wing three and its equipment for use as a dining hall and the addition of a second story thereto, and its equipment for use as an assembly room, chapel, school room, and any other purpose for which an assembly room may be required, the labor so far as possible to be furnished by the inmates of the New Jersey State Prison, to be expended by the Board of Prison Reconstructing wing 3.

Inspectors under the supervision of the Governor and the chairman of the commission appointed pursuant to the provisions of Joint Resolution No. 1—thirty thousand dollars.

#### SCHOOL FACILITIES.

Schooling.

For the purpose of improving the school facilities in the New Jersey State Prison, including the furnishing of textbooks and other school equipment, to be expended by the Board of Prison Inspectors under the supervision of the Governor and the chairman of the commission appointed pursuant to the provisions of Joint Resolution No. 1—one thousand five hundred dollars.

#### ADDITIONAL FACILITIES FOR ROAD CAMPS.

Road camps.

To provide additional facilities for the housing and maintenance of convict labor on the public roads of this State, to be expended by the Commissioner of Public Roads, under the supervision of the Governor and the chairman of the commission appointed pursuant to the provisions of Joint Resolution No. 1—one thousand five hundred dollars.

#### COVERED WAY TO BATH HOUSE.

Way to bath house.

For the furnishing of materials and supervision in connection with the construction of a covered way to and from the bath house at the New Jersey State Prison, the labor so far as possible to be furnished by the inmates of the New Jersey State Prison, to be expended by the Board of Prison Inspectors under the supervision of the Governor and the chairman of the commission appointed pursuant to the provisions of Joint Resolution No. 1—one thousand dollars.

When available.

2. The appropriations hereby made shall be available for expenditure when included in any annual or supplemental appropriations act.

3. This act shall take effect immediately.

Approved March 15, 1917.

## CHAPTER 35.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof, approved October nineteenth, one thousand nine hundred and three,' approved April ninth, one thousand nine hundred and thirteen."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows:

Section 1  
amended.

1. The board of education of any school district shall, subject to reasonable regulations to be adopted by said board, or upon notification by the Commissioner of Education, permit the use of any schoolhouse and rooms therein, and the grounds and other property of the district, when not in use for school purposes, for any of the following purposes:

Use of school  
property for  
various pur-  
poses.

(a) By persons assembling therein for the purpose of giving and receiving instruction in any branch of education, learning or the arts, including the science of agriculture, horticultural and floriculture;

Educational.

(b) For public library purposes or as stations of public libraries;

Library.

(c) For holding social, civic and recreational meetings and entertainments and such other purposes as may be approved by the board of education;

Social.

(d) For meetings, entertainments and occasions where admission fees are charged;

Entertain-  
ments.

(e) For polling places, for holding elections and for the registration of voters and for holding political meetings.

Elections.

Action may  
be appealed.

2. Any action taken by a board of education under the provisions of this act shall be subject to appeal to the Commissioner of Education, as provided in section ten of the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved March 15, 1917.

## CHAPTER 36.

An Act authorizing savings banks, banking institutions, trust companies and insurance companies, organized under the laws of this State, and any person acting as executor, administrator, guardian or trustee, to invest in the bonds issued by any Federal Land Bank organized pursuant to an act of Congress entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create government depositaries and financial agents for the United States, and for other purposes," approved July seventeenth, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Authorized  
investments.

1. Any savings bank, banking institution, trust company or insurance company, organized under the laws of this State, or any person acting as executor, administrator, guardian or trustee, may invest in the bonds issued by any Federal Land Bank organized pursuant to an act of Congress entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize

rates of interest upon farm loans, to furnish a market for United States bonds, to create government depositories and financial agents for the United States, and for other purposes," approved July seventeenth, one thousand nine hundred and sixteen.

2. This act shall take effect immediately.

Approved March 15, 1917.

## CHAPTER 37.

An Act concerning contempt of court and restricting and defining the jurisdiction of the courts of this State with respect thereto.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. No power of any court in this State to punish contempt shall be construed to extend to any case except the misbehavior of any person in its actual presence, the misbehavior of any officer of said court in his official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness or other person, to any lawful writ, process, order, rule, decree, or command of the said court.

Extent of  
contempt of  
court.

2. If for any reason this act, or any section or provision thereof, shall be questioned in any court and shall be held to be unconstitutional or invalid as to any particular court of this State, neither this act nor any section or provision thereof shall be affected thereby with respect to any other court or courts of this State.

As to constitu-  
tionality of act.

3. All acts or parts of acts inconsistent with this act to the extent of such inconsistencies be and the same are hereby repealed.

Repealer.

4. This act shall take effect immediately.

Approved March 15, 1917.

## CHAPTER 38.

An Act to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 7  
amended.

Pursuing web-  
footed wild  
fowl.

1. Section seven of the act of which this act is amendatory be and is hereby amended so as to read as follows:

7. It shall be unlawful for any person to pursue any goose, duck, swan, brant, or any kinds of water wild fowl whatsoever, or to shoot, or to shoot at, or kill, or wound the same from any boat or vessel propelled by any means other than by oars or paddles, or from any boat, vessel or other structure anchored or staked upon the waters of any of the bays, sounds, coves, ponds, rivers, creeks or streams, of the State at a greater distance than one hundred feet from ice, marsh or meadow, bar or bank, or heaped seaweed not covered with water, under a penalty of twenty dollars for each offense.

2. This act shall take effect immediately.

Approved March 15, 1917.



## CHAPTER 39.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and seventeen," approved April fourth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The sum of six thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated for the purchase and packing of additional identification markers for the Department of Motor Vehicle Regulation and Registration for the year one thousand nine hundred and seventeen when included in any annual or supplemental appropriation bill. Payment of the above item to be made from the receipts of the Department of Motor Vehicle Regulation and Registration, pursuant to chapter two hundred and thirty-five of the Laws of one thousand nine hundred and nine.

Appropriation  
for motor ve-  
hicle markers.

2. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 40.

An Act to amend an act entitled "A supplement to an act entitled 'An act appropriating scrip for the public lands granted to the State of New Jersey by the act of Congress, approved July second, one thousand eight hundred and sixty-two,' approved April fourth, one thousand eight hundred and sixty-four," which supplement was approved March tenth, eighteen hundred and ninety-three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act of which this act is an amendment be and the same is hereby amended so as to read as follows:

Membership  
of board of  
visitors to  
agricultural  
college.

1. The Board of Visitors to the State Agricultural College shall hereafter consist of one member from each county in this State, to be appointed by the Governor with the advice and consent of the Senate.

2. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 41.

An Act concerning the salary of mayors of certain cities in this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Salary of  
mayor in cer-  
tain cities.

1. It shall be lawful for the board having control of the finances of any city in this State which now has

or may hereafter have a population of not less than one hundred thousand inhabitants, nor more than two hundred thousand inhabitants, to fix and determine by ordinance the annual salary to be paid the mayor of such city, which salary shall not be less than three thousand five hundred dollars nor more than five thousand dollars.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 16, 1917.

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## CHAPTER 42.

An Act to annex to the village of South Orange, in the county of Essex, a portion of the city of East Orange, in the county of Essex.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. All that portion of the city of East Orange, in the county of Essex, and bounded and described as follows:

Boundaries of part of East Orange annexed to South Orange.

Beginning at a point in the present division line between the village of South Orange and the city of Newark, where the same is intersected by the division line between the said city of East Orange and the said city of Newark; thence (1) running along the present boundary line between the village of South Orange and the city of East Orange, northerly, to an angle in said division line, which angle is distant one hundred and fifty feet (150') northeasterly from the northeasterly line of Finlay place, as laid out and opened in the village of South Orange, as measured at right angles therewith; thence (2) southeasterly, running along a line parallel with the said Finlay place, and distant one

hundred and fifty (150') northeasterly therefrom, as measured at right angles therewith, to a point in the present boundary line between the said city of East Orange and the said city of Newark; thence (3) south-westerly, along the said boundary line between the said city of East Orange and the said city of Newark, to the point or place of beginning, is hereby set off from the said city of East Orange, in the county of Essex, and annexed to and made part of the village of South Orange, in the county of Essex.

2. This act shall take effect immediately.

Approved March 16, 1917.

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### CHAPTER 43.

An Act to amend an act entitled (title amended by chapter 1 of the Laws of 1916) "An act to provide for the construction, permanent improvement and maintenance of public roads in this State" (Revision of 1912), approved April fifteenth, one thousand nine hundred and twelve.

Section 27  
amended.

Unusual re-  
pairs or recon-  
struction.

Plans.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section twenty-seven of the act to which this is an amendment is hereby amended to read as follows:

27. Whenever any improved road in this State is in need of extraordinary repair or reconstruction, the public body of the county or other municipality charged with its care shall prepare specifications and any plans and cross-sections necessary to explain and describe the extraordinary repair or reconstruction contemplated, and forward the same to the State Commissioner of Public Roads. Said specifications, plans and cross-sec-

tions may include and provide for a paved surface of a type different from the existing road, either in materials or method of construction, or in width, and may also include and provide for guttering, curbing, the substantial reduction of grades or other matter incidental or appurtenant to said paved surface. The said commissioner is authorized, in his discretion, to approve of such specifications, plans and cross-sections, and to certify what amount of State moneys he will set aside for the repair of such roads. On his approval and issue of certificate, as this act provides, said public body shall advertise for bids and otherwise proceed as this act directs.

Amount devoted to work.

In case the State Commissioner of Public Roads shall fail for thirty days after the receipt by him of such specifications, plans and cross-sections to certify and set apart any State moneys for such extraordinary repair or reconstruction, or shall, within said thirty days, notify such public body of his refusal or inability to make such appropriation, it shall thereupon be lawful for such public body forthwith to proceed to make such extraordinary repair or reconstruction to such road, in accordance with the specifications, plans and cross-sections so submitted, and to award a contract for the doing of the work, first having advertised for bids therefor in two public newspapers printed or circulating in such county or other municipality for two weeks successively, at least once in each week, before the date fixed therein for the receipt of bids; and said extraordinary repair shall be made or said road shall be reconstructed under the supervision of the engineer of such county or other municipality.

Action in case commissioner fails to approve.

If such county or other municipality shall not have sufficient funds wherewith to pay for the cost of such extraordinary repair or reconstruction or its share thereof, then it shall be lawful for said public body of such county or other municipality to issue certificates of indebtedness and bonds in a sum not exceeding the

Bonds may be issued.

amount of the cost of such extraordinary repair or reconstruction or its share thereof.

2. This act shall take effect immediately.

Approved March 16, 1917.

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## CHAPTER 44.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June 14th, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Penalty for  
bringing stolen  
property into  
State.

1. Any person who having, at any place without this State, stolen the property of another, or received such property knowing it to have been stolen, brings the same into this State, may be convicted and punished in the same manner as if such larceny or receiving had been committed within this State. Complaint may be made and the indictment found and tried, and the offense may be charged to have been committed in any county into or through which the stolen property is brought.

2. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 45.

An Act to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which said supplement was approved April second, nineteen hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section three of the act of which this act is amendatory be and the same hereby is amended to read as follows:

Section 3  
amended.

3. The applicant shall pay to the Commissioner of Motor Vehicles for each registration a fee of four dollars and fifty cents for automobiles of the first class; seven dollars and fifty cents for the second class, and fifteen dollars for the third class. Automobiles of ten-horse power, or less, shall be of the first class; from eleven to twenty-nine-horse power, inclusive, of the second class; and of thirty-horse power, or more, of the third class. The applicant for registration for automobile commercial vehicles, which are not equipped on all wheels with pneumatic tires, except automobile fire engines and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business, nor for the transportation of freight, such as steam road rollers and traction engines and for motor-drawn vehicles including trailers, and every other

Registration  
fees.

Classification.

Registration  
of motor  
trucks.

type of vehicle drawn or propelled by a motor-drawn vehicle, which are not equipped on all wheels with pneumatic tires, shall pay to the Commissioner of Motor Vehicles a fee based upon the gross weight of such vehicle and load, when loaded to its carrying capacity, in accordance with the following table:

Schedule of  
weights and  
fees.

If the gross weight of vehicle and carrying capacity is—

4000 pounds or less,.....	\$15.00 per annum.
4001 to 5000 pounds,.....	17.00 per annum.
5001 to 6000 pounds,.....	19.00 per annum.
6001 to 7000 pounds,.....	21.00 per annum.
7001 to 8000 pounds,.....	23.00 per annum.
8001 to 9000 pounds,.....	25.00 per annum.
9001 to 10000 pounds,.....	27.00 per annum.
10001 to 11000 pounds,.....	29.00 per annum.
11001 to 12000 pounds,.....	31.00 per annum.
12001 to 13000 pounds,.....	33.00 per annum.
13001 to 14000 pounds,.....	35.00 per annum.
14001 to 15000 pounds,.....	37.00 per annum.
15001 to 16000 pounds,.....	39.00 per annum.
16001 to 17000 pounds,.....	41.00 per annum.
17001 to 18000 pounds,.....	43.00 per annum.
18001 to 19000 pounds,.....	45.00 per annum.
19001 to 20000 pounds,.....	47.00 per annum.
20001 to 21000 pounds,.....	49.00 per annum.
21001 to 22000 pounds,.....	51.00 per annum.
22001 to 23000 pounds,.....	53.00 per annum.
23001 to 24000 pounds,.....	55.00 per annum.
24001 to 25000 pounds,.....	57.00 per annum.
25001 to 25875 pounds,.....	59.00 per annum.

Proviso.

*provided*, that automobile commercial vehicles not subject to a registration fee based upon gross weight shall continue to be subject to a registration fee based upon horse power, as above provided, and motor-drawn vehicles not subject to a registration fee based upon gross weight shall continue to be subject to the registration fee prescribed by chapter ninety-six of the Session Laws of nineteen hundred and fifteen for vehicles trailing after, or propelled by, motor vehicles; *and provided*,

Proviso.



*further*, that if application shall be made for registration of any automobile or motor-drawn vehicle under this section, after the first day of September in any year, the applicant shall be required to pay but one-half the registration fee above provided for the class to which such automobile or motor-drawn vehicle belongs. Half-rate fee.

2. This act shall take effect January first, one thousand nine hundred and eighteen.

Approved March 16, 1917.

## CHAPTER 46.

A Further Supplement to an act to amend an act entitled "An act to establish and regulate the State Home for Girls (Revision of 1900)," approved March twenty-third, one thousand nine hundred.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. From and after the passage of this act it shall be lawful for the trustees of the State Home for Girls to parole and to board in a private family any girl of school age who has been committed to said State Home for Girls, and to pay such board out of the funds appropriated for maintenance of said State Home for Girls if the said trustees shall deem it necessary for the promotion of her welfare; *provided*, the cost shall not exceed the rate per capita provided for in the appropriation for said State Home for Girls. Parole and board girls in private families.

2. It shall also be lawful for the trustees of said State Home for Girls to send to properly qualified educational or vocational institutions, for purposes of instruction, any girl committed to said State Home for Girls who shows herself capable for a further training than the said State Home for Girls can provide for its inmates and whose welfare will be promoted thereby. The cost Proviso.

Schooling.

of such instruction to be defrayed out of the funds appropriated for maintenance for said State Home for Girls, not to exceed the rate per capita of such appropriation.

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 16, 1917.

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## CHAPTER 47.

An Act for the protection of eels.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Taking eels  
in tidal waters.

1. It shall be unlawful for any person or persons to catch or take, or attempt to catch or take, eels from the tidal waters of this State by means or use of a dredge, rake, spear or other device attached to or drawn by any boat or vessel, under a penalty of fifty dollars for each offense, to be sued for and recovered in the same manner and by the person or persons authorized to sue for and recover penalties under the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the acts supplementary thereto and amendatory thereof.

Penalty.

Recovery of  
penalties.

2. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 48.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules and regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendment was approved March eighteenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section four of the act to which this is an amendment is hereby amended to read as follows:

Section 4  
amended.

4. Every automobile shall carry, during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least two lighted lamps showing white lights visible at least two hundred and fifty feet in the direction toward which said automobile is proceeding, and shall also exhibit a red light visible from the rear; the rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such a manner as to render the numerals thereon visible for at least fifty feet in the direction from which the motor vehicle is proceeding. No automobile shall be used upon the public highways of this State which is equipped with a lamp which, when lighted, is capable of projecting direct rays at a greater height than a parallel of four and one-half feet from

Lamps.

Rear marker  
lighted.

Heights of  
projected rays.

Proviso. the road; *provided, however*, that any lamp which has attached thereto any device which cannot be operated from the driver's seat and which, when so attached, renders said lamp incapable, when lighted, of projecting direct rays at a greater height than a parallel of four and one-half feet from the road, shall be deemed to comply with this provision; *provided, further, however*, that any automobile may be equipped with a lamp capable of projecting direct rays at a greater height than a parallel of four and one-half feet from the road, if such lamp, when lighted, is not capable of producing a dazzling light of glare; *and provided, further*, that the use of "spot lights" for driving purposes is prohibited and that the use of such "spot lights" is hereby confined to reading of intersecting highway signs and house numbers. In order that this section may be operative without hardship to the owners and operators of motor vehicles, the Commissioner of Motor Vehicles is hereby especially authorized to pass upon any lighting devices and upon the equipment of any car, and shall for this purpose examine all lighting devices submitted to him, and if, in his judgment, such lighting device, when properly applied to a motor vehicle licensed under the authority of this act, shall conform to the provisions of this act, he shall issue a certificate to the manufacturer or owner or user of such device, as the case may be, that the same is in compliance with this section. Every automobile shall show at least one white light when standing, such white light to be on the side of the automobile nearest to the center of the road, and shall display at least one red light to the rear when standing.

Proviso. spot lights.

Lighting devices.

Lights when standing.

2. This act shall take effect immediately.  
Approved March 16, 1917.

## CHAPTER 49.

An Act to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which supplement was approved April second, one thousand nine hundred and twelve," and which amendment was approved March ninth, one thousand nine hundred and fifteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section one of the act to which this act is an amendment shall be and the same is hereby amended so as to read as follows:

Section 1  
amended.

1. Every resident of this State, and every nonresident whose automobile shall be driven in this State, except as is hereinafter provided, shall, before using such vehicle on the public highways, register the same, and no motor vehicle shall be driven unless so registered. Every registration shall expire and the certificate thereof become void on the thirty-first day of December of each year; and the Commissioner of Motor Vehicles shall issue licenses for the following year on and after December first of each year, such licenses so issued not

Motor vehicles  
must be regis-  
tered.

When licenses  
issued and  
valid.

to be used until the thirty-first day of December of the year preceding the year for which such license is issued.

2. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 50.

An Act to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof' and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six," which supplement was approved April second, one thousand nine hundred and twelve.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 7  
amended.

1. Section seven of the act to which this is an amendment shall be and the same is hereby amended so as to read as follows:

Period for  
which non-  
residents may  
drive without  
registering.

7. Any motor vehicle belonging to any person who is a non-resident of this State, and who has registered such motor vehicle in and has complied with all of the laws of the State, Territory, Federal District of the United States, or of any province of the Dominion of Canada, in which he resides, with respect to the registration of motor vehicles and the display of registration numbers, and who shall conspicuously display such registration number as required thereby, may be driven

in this State during a period of not to exceed fifteen days in each calendar year, or on two or more occasions not exceeding in the aggregate the period of fifteen days in any such year, without complying with, or being subject to, the provisions of sections fifteen and twenty-one of the act to which this is a supplement, or either of them, or with any of the preceding sections of this supplement; *provided*, that each day or part of a day during which any such motor vehicle is within this State shall be considered as one of said fifteen days; *and provided*, *further*, that the provisions of this section shall be operative as to any such motor vehicle owned by non-resident of this State, only to the extent that under the laws of the State, Territory, Federal District or province of his residence substantially similar exemptions and privileges are granted to motor vehicles duly registered under the laws of this State; *and provided*, *further*, that the Commissioner of Motor Vehicles shall have power to suspend, for cause, the fifteen-day touring privilege in so far as it may apply to any licensed motor vehicle licensed by any State, Federal District, Territory or of the province of the Dominion of Canada to which such privilege is granted under the provisions of the act to which this is a supplement. The Commissioner of Motor Vehicles, in suspending such privilege, shall give seven days' notice of such action, citing in such notice the number of the motor vehicle in reference to which such privilege is suspended, and shall forward such notice to the department which issued the license against which such privilege is suspended. The Commissioner of Motor Vehicles, when suspending such privilege, shall give public notice of the same, and cause all police departments or other police authorities to be notified of such action. If such motor vehicle against which such privilege has been suspended shall be driven thereafter into the State of New Jersey, during the period in which its license is in force, the driver and owner thereof shall be subject to a fine not exceeding two hundred dollars.

Proviso.

Proviso.

Proviso.

Suspension of privilege.

Notice of suspension given.

Penalty.

2. This act to take effect immediately.

Approved March 16, 1917.

## CHAPTER 51.

An Act to amend an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and seventeen," approved April fourth, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Item 61  
amended.

1. Item sixty-one of section one of the act to which this act is an amendment is hereby amended to read as follows:

61.

## STATE HOSPITAL AT MORRIS PLAINS.

Maintenance  
of indigent  
and convict  
patients.

For maintenance of county patients, at the rate of two dollars and fifty cents per week; for support of criminal and insane convicts, chargeable solely to the State, at the rate of five dollars per week per capita, and clothing exclusive of such per capita sum and at the rate of three dollars per week per capita for such county patients; for support and clothing of State indigent patients, at the rate of four dollars and fifty cents per week, and clothing exclusive of such per capita sum, three hundred and ninety-seven thousand eight hundred dollars.

Appropriation

Item 62  
amended.

2. Item sixty-two of section one of the act to which this act is an amendment is hereby amended to read as follows:

62.

## STATE HOSPITAL AT TRENTON.

Maintenance  
of indigent  
and convict  
patients.

For maintenance of county patients, at the rate of two dollars and fifty cents per week; for support of criminal and insane convicts, chargeable solely to the



State, at the rate of five dollars per week per capita, and clothing exclusive of such per capita sum, and at the rate of three dollars per week per capita for such county patients; for support and clothing of State indigent patients, at the rate of four dollars and fifty cents per week, and clothing exclusive of such per capita sum, two hundred and fifty-four thousand eight hundred dollars.

Appropriation.

3. This act shall take effect immediately.  
Approved March 16, 1917.

## CHAPTER 52.

An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "Supplement to an act entitled 'An act concerning roads (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved April twentieth, one thousand nine hundred and nine,' and which amendment was approved March fifteenth, one thousand nine hundred and eleven," and which last amendment was approved March sixteenth, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. That section one of the above-recited act be amended to read as follows:

Section 1  
amended.

1. Every vehicle drawn by horse, horses or other beasts shall carry during the period from thirty minutes after sunset and thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least one lighted lamp on the front of such vehicle, which said lamp shall show a white light and

All animal-drawn vehicles must display lights at night.

White light to front; red to rear.

shall be of such a nature and so displayed that it may be seen from a point at least two hundred and fifty feet distant in the direction toward which the vehicle is proceeding; and if such front lamp is so arranged that it will show a red light visible for a distance of at least two hundred and fifty feet in the direction from which the vehicle is proceeding, then no red light attached to the rear of such vehicle will be necessary.

Proviso; when  
separate red  
light on rear.

*Provided, however,* that where such front light does not show a red light visible for a distance of at least two hundred and fifty feet in the direction from which the vehicle is proceeding, then there shall be attached to the rear of such vehicle one lighted lamp showing a red light visible for a distance of at least two hundred and fifty feet in the direction from which the vehicle is proceeding. Any person or corporation violating the provisions of this act shall be subject to a fine in any amount not less than two dollars and fifty cents and not exceeding five dollars, recoverable before any justice of the peace, magistrate or recorder or other proper officer having jurisdiction thereof; or on failure to pay fine as above, shall be subject to imprisonment not to exceed three days in the county jail. Magistrates and officers in proceedings under this act shall be entitled to the fees provided by an act entitled "An act defining motor vehicles and providing for the registration of the same, and the licensing of the drivers thereof, fixing rules regulating the use and speed of motor vehicles, fixing the amount of license and registration fees, prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six. Money received in accordance with the provisions of this act shall be accounted for and forwarded to the treasurer or collector of taxes of the municipality within which the proceedings are taken for the punishment of the violations of this act.

Penalty; fine  
or imprison-  
ment

Fees of court  
officers.

Disposition  
of fines.

2. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 53.

An Act to enable municipalities of this State to enter into contract for the construction, maintenance, operation and acquirement of works and plans for the purification, disposal of, and dealing with sewage, or the collection and disposal of garbage and other refuse, to condemn land for the purposes of the same, and to provide for payment of such works or lands.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall hereafter be lawful for any municipality of this State, through its governing body, to enter into contract, signed by its chief executive officer and sealed with its municipal seal, with any person, firm or corporation, public or private, for the construction, maintenance, operation or acquirement of any work or works and plans for the purification, disposal of, and dealing with sewage, or the collection and disposal of garbage and other refuse; such contract shall be made upon such conditions and for such length of time, not exceeding ten years, as the said governing body may determine.

Provision for  
sewage or garbage disposal  
works.

Period of  
contract.

2. Said municipality shall have full power from time to time to enlarge, increase, extend, renew, alter, replace, repair, cleanse, equip, operate and maintain any such work or works, either by way of supplemental contract with any person, firm or corporation, or on its own account, after acquiring title, either conditional or absolute, to the same.

Power to  
change plant.

3. Such municipality may provide that any building, buildings, equipment or appliances necessary for the maintenance or operation of such work or works may be erected or placed upon any lands owned by the municipality and suitable for the purpose, or the municipal-

Land, buildings, equip-  
ment.

ity may acquire the necessary lands by purchase, exchange, gift, lease or condemnation, and excepting condemnation, upon such terms and conditions as it may determine.

Ordinances,  
rules, regula-  
tions.

4. The municipality shall have power to make, enforce, amend or repeal all ordinances, resolutions, rules and regulations as may be deemed necessary and proper for the maintenance and operation of such work or works, and for the government of employees connected therewith, after said plant shall have been acquired, either conditionally or absolutely, by said municipality.

Provision for  
funds.

5. The governing body of said municipality may provide the funds for the maintenance and operation of said work or works or plans for the purification, disposal of, and dealing with sewage, and for the collection and disposal of garbage and other refuse, by raising the same by taxation, and for the acquirement of said work or works, and the lands in connection therewith, by the sale of bonds; *provided, however*, in case said municipality shall, as herein provided, engage to acquire said work or works or said land for the purpose aforesaid, upon the payment of annual or term payments, then such annual or term payments may be provided for by the issue of bonds or by taxation in the discretion of the governing body of said municipality.

Proviso.

Specifications.

6. Such municipality before entering into any contract or contracts for such work or works shall first adopt specifications, which specifications shall reasonably set forth the amount of sewage, garbage or other refuse to be purified, disposed of, collected or dealt with, the approximate location of such proposed work or works, and such other facts or data as may relate thereto; after the adoption of such specifications, bids therefor, conforming to such specifications, shall be advertised in at least one newspaper published or circulating in the said municipality at least once a week during three successive weeks; and the contract or contracts shall then be awarded only to such person or persons, firm or firms, corporation or corporations, who shall submit to such municipality the plan or plans which

Bids.

Contracts.

in the judgment of said municipality shall best meet and comply with such specifications; after which such contract or contracts may be entered into by and between said municipality, and such person or persons, firm or firms, corporation or corporations, shall, if required, give satisfactory bonds or security for the faithful performance of the work proposed.

7. Such municipality shall have the right to renew any contract or other engagement entered into for the purpose of furnishing such work or works for additional periods not to exceed five years each, upon terms and conditions in harmony with those contained in the original contract.

Renewal of contract.

8. Such work or works for the purification, disposal of, and dealing with sewage, and the plans included therein or proposed thereby, shall conform to and comply with such rules and regulations as may be prescribed by the State Department of Health.

Authority of State board of health.

9. Said municipality shall have the right to provide in any such contract or contracts such term or terms as shall effectually provide for the building, construction, maintenance, operation or acquirement of such work or works; and shall also have the right to provide, either for acquiring by purchase upon completion the whole or part of said work or works or for an annual or other term rental or service charge to be paid by said municipality for a stated number of years, not to exceed ten, after which stated number of years the balance of said purchase price, if any, shall be paid by it for the purpose of passing into the exclusive use, possession and control of such municipality such work or works, or a part thereof, after acceptance by it; there may also be reserved to such municipality in such contract, or one supplemental thereto, the right to provide for extensions or additions to such work or works, at a price to be named in such original or supplemental contract, or to be determined under one of them.

Provision for building, maintenance, operation.

Acquirement by municipality.

10. Two or more municipalities may join together to do any of the things provided in this act, and may appoint such officers and employees as may be necessary

Municipalities may act jointly.

in case of joint action, and may in general jointly proceed hereunder.

Proceedings  
by ordinance  
and resolution.

11. Until the execution of any original contract hereunder by such municipality, all proceedings by its governing body shall be by ordinance, after which time further proceedings may be by resolution.

12. This act shall take effect immediately.

Approved March 16, 1917.

## CHAPTER 54.

An Act to enable cities of the first class to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, and to regulate and restrict the location of trades and industries.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Building  
regulations.

City districted.

Uniformity.

Health and  
safety.

Character of  
buildings and  
use.

1. The common council or governing commission of cities of the first class shall have power to regulate and limit the height and bulk of buildings hereafter erected and to regulate and determine the area of yards, courts and other open spaces. The common council or governing commission may divide the city into districts of such number, shape and area as it may deem best suited to carry out the purposes of this section. The regulations as to the height and bulk of buildings and the area of yards, courts and other open spaces shall be uniform for each class of buildings throughout each district. The regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers and to promote the public health and welfare, including provision for adequate light, air and convenience of access. The common council or governing com-

mission shall pay reasonable regard to the character of buildings erected in each district, the value of the land and the use to which it may be put to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may be adapted and may tend to conserve the value of buildings and enhance the value of land throughout the city.

2. The common council or governing commission of cities of the first class shall also have the power to regulate and restrict the location of buildings designed for specified uses, as well as the location of trades and industries, and may divide the city into districts of such number, shape and area as it may deem best suited to carry out the purposes of this section. For each such district regulations may be imposed designating the uses for which buildings may not be erected or altered, and designating the trades and industries that shall be excluded or subjected to special regulations. Such regulations shall be designed to promote the public health, safety and general welfare. The common council or governing commission shall give reasonable consideration, among other things, to the character of the district, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development in accord with a well-considered plan.

3. The common council or governing commission of cities of the first class accepting the provisions of this act shall appoint a commission to be known as "Commission on Building Districts and Restrictions," to consist of the chief engineer of the board or body having control of streets and highways, the superintendent of buildings, the officer of said city in charge of the inspection of combustibles and fire risks, the president or other officer of said city in charge of the board or body which assesses and revises taxes, four members of the city plan commission and three additional members at large. In any city of the first class in this State which has not appointed a city plan commission under the provision of an act entitled "An act to enable cities of the first class in this State to provide for a city plan

Location  
designated.

Regulations  
imposed.

Conservation  
and develop-  
ment consid-  
ered.

Commission  
on building.

How com-  
posed.

If no city  
plan commis-  
sion.

- commission and provide funds and defining the duties thereof," approved March twelfth, one thousand nine hundred and thirteen, the common council or governing commission shall then appoint seven members at large instead of three. Such commission shall serve without pay and shall recommend the boundaries of districts and appropriate regulations and restrictions to be enforced therein. Such commission shall make a tentative report and hold hearings thereon at such times and places and upon such notice as said commission shall determine before submitting its final report to the common council, or governing commission. Said common council or governing commission shall not determine the boundaries of any district nor impose any regulation or restriction until after the final report of a commission so appointed. After such final report said common council or governing commission shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published for five days in two newspapers of said city.
- No pay.**
- Reports.**
- Hearing after final report.**
- Changes.**
- Proposed changes referred to commission.**
- Passage after protest.**
- Clerical force.**
4. The common council or governing commission may, from time to time, after public notice and hearing, amend, supplement or change said regulations or districts. Such proposed amendment, supplement or change, however, must first be referred to the commission on building districts and restrictions for consideration and report before final action shall be taken thereon by said common council or governing commission. But in case of a protest against a proposed amendment, supplement or change be presented, duly signed and acknowledged by the owners of twenty per centum or more of the frontage of the property proposed to be altered, or by the owners of twenty per centum of the frontage upon the street immediately in the rear thereof, or by the owners of twenty per centum of the frontage directly opposite the property proposed to be altered, such amendment shall not be passed except by a three-quarters vote of the common council or governing commission.
5. The experts, clerks and secretary of the city plan commission shall act in similar capacities for the com-



mission on building districts and restrictions. Such expenses as said commission on building districts and restrictions may lawfully incur under the powers hereby granted, including the necessary disbursements incurred by its members in the performances of their duties as members of said commission, shall be paid out of the amount appropriated for the city plan commission by the board or body having charge of the finances of said city under the provisions of an act entitled "An act to enable cities of the first class in this State to provide for a city plan commission and provide funds, and defining the duties thereof," approved March twelfth, one thousand nine hundred and thirteen; *provided*, that such expenditures are duly approved by the city plan commission; *and provided, further*, that the total amount so expended in any one year shall not exceed the appropriation for such year.

Expenses.

Proviso.

Proviso.

6. In any city of the first class in this State which has not appointed a city plan commission under the provisions of an act entitled "An act to enable cities of the first class in this State to provide for a city plan commission and provide funds and defining the duties thereof," approved March twelfth, one thousand nine hundred and thirteen, it shall be lawful for the board or body having charge of the finances of said city to appropriate any amount not exceeding ten thousand dollars in any year that such commission shall remain in existence for the expenses of such commission on building districts and restrictions, and the moneys for said commission shall be raised by annual tax upon real and personal property as other taxes are raised in and for such city; *provided, however*, that for the fiscal year in which this act becomes effective, such moneys may be raised by said board or body having charge of the finances of such city, by appropriating for that purpose any moneys in the treasury by such city not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness; *provided*, that such bonds or certificates shall be sold at public or private sale, after the advertisement, at not less than par; which bonds shall bear interest at not more than five per centum per

Appropriation by city.

Proviso.

Proviso.

annum, and the payment thereof, with interest, shall be provided for in the next tax levy.

Construing  
acts as to city  
plan commis-  
sion.

7. This act shall not be construed so as to limit or abridge any right, power or authority conferred or vested in city plan commissions in cities of the first class appointed under the provisions of an act entitled "An act to enable cities of the first class in this State to provide for a city plan commission and provide funds, and defining the duties thereof," approved March twelfth, one thousand nine hundred and thirteen.

City ordinance  
to govern.

8. Wherever the provisions of any ordinance or regulation adopted by the common council or governing commission under the provisions of this act impose requirements for lower height or buildings or a less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than are imposed or required by existing provision of law or ordinance, the provision of such local ordinance or regulation adopted under the provision of this act shall govern. Where, however, the provisions of the New Jersey tenement house law, the building code or other ordinance or regulation of any city of the first class impose requirements for lower height of building, or less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than are required by any ordinance or regulation which may be adopted by the common council or governing commission under the provision of this act, the provision of said New Jersey tenement house law or said building code or other ordinance or regulation shall govern.

When tene-  
ment house  
laws govern.

9. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 55.

An Act regulating the pay of officers and policemen of the police force of counties of the first class.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In all counties of the first class of this State, now or hereafter having police officers and policemen for the supervision and regulation of traffic upon county roads therein, the pay or salaries of the following-named officers and men of said police force shall be as hereinafter specified respectively:

Chief of said force, not less than two thousand four hundred dollars per year.

Captains, not less than two thousand dollars per year.

Lieutenants, not less than one thousand seven hundred dollars per year.

Round-sergeants, not less than one thousand five hundred and ten dollars per year.

Patrolmen, mechanics and doormen, not less than nine hundred dollars per year for the first year of service; not less than one thousand dollars for the second year of service; not less than one thousand one hundred dollars for the third year of service; and for the fourth year of service and thereafter, not less than one thousand four hundred dollars per year.

The years of service for patrolmen shall be from the time of their respective appointments to the force; all payments shall be made semi-monthly.

In case the patrolmen of such force in any county shall receive more than nine hundred dollars per year when this act takes effect therein, this act shall not be construed to reduce said salary, and said patrolmen shall be entitled to the increase in pay above nine hundred dollars per annum herein provided when they shall have served a sufficient time from the date of their original

Pay of county police.

Officers.

Men.

Service and payments.

Increase of pay.

appointment to entitle them thereto upon the above schedule of service and salary.

Referendum.

2. This act shall take effect immediately, but its provisions shall remain inoperative in any such county until the same shall be submitted to the voters of such county by resolution adopted by the board of chosen freeholders or other governing body thereof at least thirty days before any general election to be held therein and be accepted by the voters of said county by a majority of the votes cast for or against such act at such general election hereinafter to be held in such county at which the acceptance or rejection of this act shall be submitted to said voters by such resolution; if a majority of those voting for or against the acceptance of this act be in favor of its acceptance, the provisions thereof shall be deemed to be acceptable by such county, and such county shall be bound by the terms thereof. When the question of the acceptance of this act shall be submitted to the voters, there shall be printed upon the official ballots for every election precinct, district or ward, the word "For," with a square opposite the same, and the word "Against," with a square opposite the same, above and immediately preceding the words "The act of one thousand nine hundred and seventeen to regulate and increase the pay of the police force of the county for regulation of traffic on county roads." If the voter marks an X in black ink or black pencil in the square opposite the word "For," it shall be counted as a vote in favor of the acceptance of this act. If the voter marks an X in black ink or black pencil in the square opposite the word "Against," it shall be counted as a vote against the acceptance of this act. And in case no mark be made after the word "For" or after the word "Against," it shall not be counted as a vote either for or against the acceptance of this act.

Question on ballot.

Voting.

Statement furnished voters.

When the question of the acceptance of this act shall be submitted to the voters of any county within the purview of this act, in addition to the sample ballot now mailed to voters, there shall be mailed in the same envelope a printed statement showing the amount of salary

received by the classes of persons mentioned in the act, and the change therein by the proposed act.

There shall be a canvass and return of the votes upon the question of the acceptance of this act made by the election officers in the same way and manner as for officers voted for at such election, and if the majority of the votes cast for or against the acceptance of this act shall be found to be in favor of its acceptance, it shall then, but not otherwise, become operative and binding upon the county wherein such vote shall have been taken.

Canvass and returns.

3. In any county in which this act shall become operative in the manner herein provided the increase of pay or salaries herein made shall go into effect on the first day of the next fiscal year thereafter, notwithstanding that there may not be any existing appropriation or funds sufficient to permit such increases, and the board or authority having control of the finances of such county shall borrow a sufficient sum to cover such increase until the same shall be provided for by taxation, or may permit the same to be paid out of any money of said county not otherwise appropriated, and shall put such sums so borrowed in the next tax levy raised in said county.

Providing funds.

4. This act to be governed by the general election laws now in operation.

Act governing.

5. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 56.

An Act relating to the filing of plans and specifications in the building departments of the State of New Jersey and the municipalities therein.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Approval of  
building plans.

1. No department in the State of New Jersey or municipalities within the State, created for the purpose of filing plans and specifications for building under the several acts, shall receive or file any plans or specifications unless the same bears the seal of a licensed architect of the State of New Jersey, or in lieu thereof an affidavit sworn to by the person who drew or prepared the same.

2. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 57.

A Further Supplement to an act entitled "An act concerning promissory notes, bills of exchange and notaries public (Revision of 1877)," approved March twenty-seventh, eighteen hundred and seventy-four.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Notary may  
file certificate  
in various  
counties.

1. Any notary public in this State, after having been duly commissioned and qualified as such, shall, upon request, receive from the clerk of the county where he has qualified certificates of his commission and quali-

fication for filing with such of the other county clerks in this State as said notary public may desire. The said clerk issuing such certificate shall be entitled to a fee in the sum of fifty cents for each certificate.

Issuing clerk's fee.

2. Upon the receipt of such certificates any such notary public may present the same, together with his autograph signature, to such of the county clerks of this State as he may desire for filing, for which filing such county clerk shall be entitled to a fee of one dollar.

Filing clerk's fee.

3. The county clerk of the county in which any notary public resides, or the county clerk of any county where such notary public shall have filed his autograph signature and certificate, as hereinabove provided, shall, upon request, subjoin to any certificate of proof or acknowledgement or affidavit signed by such notary public, a certificate under his hand and seal stating that said notary public was at the time of taking such proof or acknowledgment or affidavit duly commissioned and sworn and residing in this State, and was as such an officer of this State duly authorized to take and certify said proof or acknowledgment or affidavit as well as to take and certify the proof and acknowledgments of deeds for the conveyance of lands, tenements or hereditaments and other instruments in writing to be recorded in said State; that the said proof, acknowledgment or affidavit is duly executed and taken according to the laws of this State; that full faith and credit are and ought to be given to the official acts of said notary public, and that said county clerk is well acquainted with the handwriting of said notary public and believes the signature to the instrument to which the certificate is attached is his genuine signature. The fee for the issuance of each of such certificates under the hand and seal of such county clerk shall be the sum of twenty-five cents.

County clerk to issue certificate of authority.

Fee.

4. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 58.

A Supplement to an act entitled "An act to reorganize the Department of Labor; to provide for the execution of its powers and the performance of its duties through departmental bureaus, under the supervision and control of the Commissioner of Labor; and as incidental to such reorganization, to provide for the transfer and assignment of officials and employees in the present department, and to extend the term of office of the Commissioner of Labor," approved March fourteenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Labor inspectors graded.

1. The inspectors of the Department of Labor shall perform such duties as shall be designated by the Commissioner of Labor and shall be divided into four grades, as hereinafter provided, which shall be designated, respectively, first grade, second grade, third grade and fourth grade.

Fourth grade; salary and appointment.

Fourth Grade: Inspectors of this grade shall receive a salary of one thousand dollars per annum, which salary may be increased upon the recommendation of the Commissioner of Labor, after two years of service, to eleven hundred dollars per annum, and upon like recommendation, after four years of service, to twelve hundred dollars per annum. Appointments of inspectors to this grade shall be made from the list of applicants for this grade submitted by the Board of Civil Service Commissioners.

Third grade; salary and appointment.

Third Grade: Inspectors of this grade shall receive a salary of twelve hundred dollars per annum, which salary may be increased upon the recommendation of the Commissioner of Labor, after one year of service,



to thirteen hundred dollars per annum, and upon like recommendation, after two years of service, to fourteen hundred dollars per annum, and upon like recommendation, after three years of service, to fifteen hundred dollars per annum. Appointment of inspectors to this grade shall be made from the list of applicants for this grade submitted by the Board of Civil Service Commissioners.

Second Grade: Inspectors of this grade shall receive a salary of sixteen hundred dollars per annum, which salary, upon the recommendation of the Commissioner of Labor, after one year of service, may be increased to seventeen hundred dollars per annum, and upon like recommendation, after two years of service, to eighteen hundred dollars per annum. Second grade;  
salary.

Any inspector, after having satisfactorily served for five years as an inspector in the third grade, shall, if recommended by the Commissioner of Labor, be admitted to a non-competitive promotion examination, to be conducted by the Board of Civil Service Commissioners, and upon successfully passing such examination, shall be promoted to the second grade. No appointment of inspectors of the second grade shall be made except after non-competitive promotion examination, as aforesaid. Promotion.

First Grade: Inspectors of this grade shall receive a salary of nineteen hundred dollars per annum, which salary may be increased upon the recommendation of the Commissioner of Labor, after one year of service, to two thousand dollars per annum. First grade;  
salary.

Any inspector, after having satisfactorily served as an inspector of the second grade for five years, shall, if recommended by the Commissioner of Labor, be admitted to a non-competitive promotion examination, to be conducted by the Board of Civil Service Commissioners, and, upon successfully passing such examination, shall be promoted to the first grade. No appointment of inspectors of the first grade shall be made except after a non-competitive promotion examination, as aforesaid. Promotion.

Salary of  
assistant com-  
missioner of  
labor.

2. The salary of the Assistant Commissioner of Labor shall be three thousand dollars per annum. The Assistant Commissioner of Labor, after having satisfactorily served as such assistant commissioner for five years, shall, if recommended by the Commissioner of Labor, be admitted to a non-competitive promotion examination, to be conducted by the Board of Civil Service Commissioners, and upon successfully passing such examination shall receive a salary of thirty-five hundred dollars per annum.

Salaries of  
chief of  
bureaus.

3. The Chief Inspector of the Bureau of Structural Inspection, the Chief Inspector of the Bureau of Electrical Equipment, the Chief Inspector of the Bureau of Hygiene and Sanitation, and the Chief of the Bureau of Industrial Statistics shall each receive a salary of twenty-five hundred dollars per annum. The chief of any of the above-named bureaus, after having satisfactorily served as chief of such bureau for five years, shall, if recommended by the Commissioner of Labor, be admitted to a non-competitive promotion examination, to be conducted by the Board of Civil Service Commissioners, and, upon successfully passing such examination, shall receive a salary of three thousand dollars per annum.

Expenses met.

4. The inspectors in the employ of the Department of Labor, the Assistant Commissioner of Labor and the chiefs of the bureaus above mentioned shall, in addition to the annual salaries received by them, receive the expenses incurred by them in the performance of their duties.

Inspectors  
classified.

All inspectors now in the employ of the Department of Labor shall be classified as inspectors of the third grade and shall be considered, for the purposes of this act, to have been inspectors of the third grade from the date of their original appointment as inspectors; *provided, however*, that nothing in this act contained shall operate to reduce the salary of any inspector now employed by the Department of Labor.

Proviso.

Period of  
service.

The period of service of the Assistant Commissioner of Labor and the chiefs of the bureaus above men-

tioned, now in the employ of the Department of Labor, shall, for the purposes of this act, run from the appointment of such persons as assistant commissioner or chiefs of the bureaus herein named, as the case may be.

5. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 59.

An Act making a further appropriation for the use of the commissioners of the Palisades Interstate Park in the further development of said park and in the completion of a certain drive known as the "Henry Hudson Drive," in said park.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The sum of five hundred thousand dollars is hereby appropriated, payable to the Commissioners of the Palisades Interstate Park, in amounts of one hundred thousand dollars in each consecutive year for five years, commencing with the year one thousand nine hundred and eighteen, when included in the annual or supplemental appropriation bill for such respective years, for the use of said commissioners in the further development of the Palisades Interstate Park, as authorized by chapter eighty-seven of the Laws of the State of New Jersey for the year one thousand nine hundred, approved March twenty-second, one thousand nine hundred, and the several acts amendatory thereof and supplementary thereto, and in the completion of the "Henry Hudson Drive," as authorized by chapter one hundred and ten of the Laws of the State of New Jersey for the year one thousand nine hundred and nine, approved April sixteenth, one thousand nine hundred and nine, and by chapter one hundred and twenty-four

Appropriation  
for Palisades  
Park and  
Henry Hudson  
drive.

of the Laws of the State of New Jersey for the year one thousand nine hundred and ten, approved April eighth, one thousand nine hundred and ten.

2. This act shall be deemed a public act, and shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 60.

A Further Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Proposition to ascertain sentiment of voters printed on ballots.

1. Whenever the common council, board of aldermen or other governing body of any city of the second class desires to ascertain the sentiment of the legal voters of such municipality upon any question or policy pertaining to the government or internal affairs thereof and there is no other statute by which such sentiment can be ascertained by the submission of such question to a vote of the electors in such municipality at any election hereafter to be held therein, it shall be lawful for such common council, board of aldermen or other governing body to adopt at any regular meeting a resolution requesting the clerk of the county in which such municipality is situated to print upon the official ballots to be used in such city at the next ensuing general election a certain proposition to be formulated and expressed in such resolution in concise form.

County clerk to prepare ballot.

2. If a copy of such resolution certified by the clerk or secretary of such common council, board of alder-

men or other governing body of any such city is delivered to such county clerk not less than thirty days before any such general election, he shall cause to be printed on each sample ballot and official ballot to be printed for or used in such city at the next ensuing general election, beneath the names of the candidates, the following:

"If you favor the proposition printed below, make an ☒ mark in the square opposite the word 'yes.' " Voting.

"If you are opposed thereto make an ☐ mark in the square opposite the word 'no.' "

	Yes.	(Here print the proposition to be voted on.)
	No.	

3. The said ballots so cast for or against said proposition shall be counted and the result thereof returned by the election officers and a canvass of such election had and announced in the same manner as is now provided by law in the case of the election of a mayor or other like officer of such municipality. Such result shall in no manner bind the governing body from which such resolution emanated, nor be taken or construed as other than an expression of their sentiment by the voters, to be followed or disregarded by such governing body in its discretion. Canvass.

4. This act shall take effect immediately, but shall not become operative in any city until the common council, board of aldermen or other governing body thereof shall, by resolution duly passed, declare its desire to accept the provisions thereof. Result not binding.

Approved March 19, 1917. When act operative.

## CHAPTER 61.

A Supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Desertion or  
neglect of  
family a mis-  
demeanor.

1. Any husband who shall desert or wilfully neglect or refuse to provide for the support and maintenance of his wife, in destitute or necessitous circumstances, or any parent who shall desert or wilfully neglect or refuse to provide for the support and maintenance of his or her child or children, in destitute or necessitous circumstances, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or imprisonment with or without hard labor, as the court may direct, for any term not exceeding one year, or both; and should a fine be imposed, it may be directed by the court to be paid in whole or in part to the wife, or to the guardian, custodian or trustee of said minor child or children.

Penalty.

Temporary  
order by court.

2. At any time after a sworn complaint shall have been made charging the offense aforesaid, and before the grand jury of such county shall have considered said complaint, upon petition of any party interested, and upon notice to the defendant, the Court of Quarter Sessions in and for such county wherein such complaint shall have been made, may enter such temporary order as may seem just providing for the support of the said wife or children, or both, pendente lite, and may punish for violation of such order as for contempt.

Court may  
direct periodic  
payments.

3. Before the trial, with the consent of the defendant, or at the trial, on entry of a plea of guilty, or after conviction, instead of imposing the penalty hereinbefore provided, or in addition thereto, the court in its discre-

tion, having regard to the circumstances and to the financial ability or earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by the court from time to time, as circumstances may require, directing the defendant to pay a certain sum periodically to the wife, or to the guardian, curator or custodian of the said minor child or children, or to an organization or individual approved by the court as trustee, and to release the defendant from custody on probation, upon his or her entering into a recognizance, with or without surety, in such sum as the court or a judge thereof in vacation may order and approve. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so, and shall further comply with the terms of such order of support, or of any subsequent modification thereof, then such recognizance shall be void, otherwise in full force and effect.

Recognizance.

4. If the court be satisfied by information and due proof under oath that the defendant has violated the terms of such order, it may forthwith proceed with the trial of the defendant under the original charge, or sentence him or her under the original conviction or plea of guilty, or enforce the suspended sentence, as the case may be. In case of forfeiture of a recognizance, and the enforcement thereof by execution, the sum recovered may, in the discretion of the court, be paid in whole or part to the wife, or to the guardian, curator, custodian or trustee of the said minor child or children.

If order of  
court violated.

5. No other or greater evidence shall be required to prove the marriage of such husband and wife, or that the defendant is the father or mother of such child or children, than is or shall be required to prove such facts in a civil action. In no prosecution under this act shall any existing statute or rule of law prohibiting the disclosure of confidential communications between husband and wife apply, and both husband and wife shall be competent and compellable witnesses to testify against each other to any and all relevant matters, including the

Proof of  
marriage.

Husband and  
wife as wit-  
nesses.

Proof of desertion.

fact of such marriage and the parentage of such child or children. Proof of the desertion of such wife, child or children in destitute or necessitous circumstances, or of neglect or refusal to provide for the support and maintenance of such wife, child or children, shall be prima facie evidence that such desertion, neglect or refusal is wilful.

6. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 62.

A Supplement to an act entitled "An act directing the descent of real estates," approved April sixteenth, eighteen hundred and forty-six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Descent of property when devisee dies before testator.

1. In case any lands, hereditaments or real estate, situate, lying or being in this State, shall have been heretofore or hereafter devised by the owner thereof to any person or persons, and at the death of the person to whom the same shall so be devised, to go to his, her or their heirs, or to his, her or their issue, or to the heirs of his, her or their body, and such devisee shall have either heretofore or hereafter died before the death of such owner, and there are no heirs of the testator or testatrix to whom such estate would descend, then and in such case, after the death of such owner, the said lands, tenements, hereditaments or real estate shall go to and be vested in the children of such devisee, equally to be divided between them as tenants in common in fee, but if there be only one child, then to that one in fee, and if any child be dead, the part which would have



come to him or her shall go to his or her issue in like manner.

2. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 63.

An Act to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,' approved March seventeenth, one thousand nine hundred and eight."

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section one of the act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,' approved March seventeenth, one thousand nine hundred and eight," be and the same is hereby amended so as to read as follows:

Section 1  
amended.

1. Hereafter no person shall furnish cigarettes made of tobacco or of any other matter or substance which can be smoked, or cigarette paper or tobacco in any form, by sale, gift, acting as agent, directly or indirectly, or otherwise, to any minor under the age of eighteen years, and any person so offending may be tried, on the complaint of any person interested in the welfare of the said minor, before a police magistrate or official having criminal jurisdiction in any city, borough, town, township, village or other municipality where such offense was committed, and on conviction thereof shall be punished by a fine not exceeding ten dollars (\$10)

Furnishing  
cigarettes or  
tobacco to  
minors under  
18 forbidden.

Complaint.

Penalty.

for the first offense and not exceeding twenty-five dollars (\$25) for each succeeding offense.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed.

3. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 64.

An Act to annex a portion of the township of Pensauken, in the county of Camden, to the borough of Merchantville, in said county of Camden.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. That all that portion of the township of Pensauken, in the county of Camden, bounded and described as follows:

Boundaries  
of part of  
Pensauken  
township an-  
nexed to Mer-  
chantville.

Beginning at a point in the southerly boundary line of the borough of Merchantville, where the extended southerly line of Woodbine avenue intersects the same, thence (1) in a southeasterly direction along the said southerly line of Woodbine avenue about three hundred twenty-five feet to a point in said line where the extended westerly line of Graham avenue intersects the same; thence (2) extending in a northeasterly direction along said westerly side of Graham avenue about two hundred forty feet to a point at an angle in said avenue; thence (3) southeastwardly along the said northerly line of Graham avenue three hundred eighty-five and eighty-three hundredths feet to a point, said point being the northwest corner of Oak terrace and Graham avenue; thence (4) northwardly along the westerly line of said Oak terrace about sixty-two feet to a point where the said borough line intersects; thence (5) in a westerly direction along said borough line

about seven hundred ninety-five feet to the place of beginning,

be and the same is hereby annexed to the borough of Merchantville, in the said county of Camden, so that the same shall be hereafter a part of and within the territorial limits of the said borough of Merchantville.

2. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 65.

A Supplement to an act entitled "An act concerning townships (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever at any annual township election the voters have failed to provide or raise money for any purpose for the ensuing fiscal year, for which township money may be lawfully expended, it shall be lawful for the township committee of such township, by resolution, to determine and fix the amount of money necessary to be raised for such purpose for the ensuing year; *provided, however,* the amount so fixed for any purpose shall not exceed the amount appropriated for the same purpose at the last preceding township election at which appropriations were voted.

Appropriation  
by township  
committee.

Proviso.

The township clerk shall serve on the township assessor a copy of such resolution, and thereupon it shall be the duty of the township assessor to assess and levy upon all the ratable and taxable property in such township, and of the township collector to collect the sums so ordered to be raised, in the same manner and at the same time as if the appropriations had been authorized by the vote of the persons qualified to vote at

Assessor and  
collector noti-  
fied.

Proviso.

the preceding township election; *and provided, further*, that nothing in this act contained shall be construed or held to authorize any township committee to appropriate a sum or sums in excess of the amount and authorized by law.

2. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 66.

An Act to amend the title to and the provisions of an act entitled "An act to enable cities fronting on navigable waters of this State, which have acquired or may hereafter acquire marsh lands, and other lands, and riparian lands and lands under water within any such city, under the authority of any act of the Legislature of this State, for the purpose of constructing and establishing public docks and shipping and transportation facilities, to complete the reclamation and improvement of any such marsh lands and other lands acquired for such purpose, or any part thereof, with or without the erection of warehouses and other structures thereon, and to lease such reclaimed lands so improved to private persons or corporations for a term of years, and to issue bonds and provide money to pay for the improvement of such lands for the purpose of lease," approved April twenty-third, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Title amended.

1. That the title of the above-entitled act be and the same is hereby amended to read as follows:

An act to enable cities fronting on navigable waters of this State which have acquired or may hereafter acquire marsh lands and other lands, and riparian lands and lands under water, within any such city, under the authority of any act of the Legislature of this State, for the purpose of constructing and establishing public docks and shipping and transportation facilities, to complete the reclamation and improvement of any such marsh lands and other lands acquired for such purpose, or any part thereof, with or without the erection of warehouses and other structures thereon, and to sell or lease such reclaimed lands so improved to private persons or corporations for a term of years, and to issue bonds and provide money to pay for the improvement of such lands for the purpose of sale or lease.

New title.

2. That section one of the act to which this is an amendment, as the same was amended by chapter 249 of the Laws of 1916, is hereby amended to read as follows:

Section 1 amended.

1. Whenever the board or body having charge of the public docks, or if there be no such board or body, then the board or body having charge of the public streets of any city fronting on navigable waters of this State, which city has acquired or may hereafter acquire marsh lands or other lands and riparian lands and lands under water within its corporate limits, under any act of the Legislature of this State, for the purpose of constructing and establishing public docks, shipping and transportation facilities, shall, by resolution, determine that it is for the advantage of the city to complete the reclamation and improvement of such marsh lands and other lands acquired for such purpose, and to lease or sell such lands with or without the erection of warehouses and other structures thereon, it shall be lawful for any such city to complete the reclamation and filling in of any such lands or any part thereof, and otherwise improve the same, and acquire additional lands, and likewise construct thereon and on lands theretofore acquired all other appliances necessary or convenient to make the same available for lease or sale, to private

Reclamation of marsh lands.

Uses.

May lease or sell lands.

persons or corporations, in connection with the development of public docks, shipping and transportation facilities in any such city; *provided*, that no more than one million dollars (\$1,000,000) shall be spent by the board or body having charge of public docks in any city under the authority of this act. Said board or body shall have charge and control of the improvement of such marsh lands and other lands for the purpose of leasing or selling and shall have full authority to sell or lease such lands, or any part thereof, to any private person or corporation, for a term of years, upon such terms and conditions as shall seem to be most advantageous for the best interests of such city; *provided*, the authority to sell lands shall not apply to lands between the bulkhead line established by the United States government and a line eight hundred feet inshore therefrom and drawn parallel to said bulkhead line.

Proviso; total expenditure.

Authority to sell or lease.

Terms.

Proviso.

Section 3 amended.

3. That section three of the above-entitled act to which this is an amendment, as the same was amended by chapter 249 of the Laws of 1916, is hereby amended to read as follows:

Bond issue authorized.

3. To provide for the payment of the cost and expenses incurred or to be incurred under the authority of this act, and for the retirement of temporary loan bonds authorized to be issued under section two of this act, the board having charge of the finances of such city shall have power, from time to time, to issue the corporate bonds of said city, in an amount not to exceed one million dollars (\$1,000,000).

Amount.

Issuance.

Said bonds shall be issued in accordance with the general laws of the State regulating the issuance of municipal bonds.

The method of issuing bonds authorized under this act shall not be governed or determined by the provisions of any other special or general act.

Repealer.

4. All acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 67.

An Act to authorize any incorporated town in this State to purchase fire engines or other fire apparatus, equipment and appliances for protection against fire, and to provide a method for raising money for the payment thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for the common council or other governing body of any incorporated town in this State, when, in the judgment of a majority of the members thereof, it is necessary so to do, to purchase fire engines or other fire apparatus, equipment and appliances, to be used for fire department purposes in such town, at a cost not to exceed the sum of fifty thousand dollars. Towns may purchase fire apparatus.
2. Any purchase of such fire engines, or other fire apparatus, equipment or appliances, shall be done by contract awarded upon at least two weeks' advertisement in a newspaper published or circulating in said town, to the lowest responsible bidder or bidders for the same. Purchase by contract after advertising.
3. The common council or other governing body having the management and control of the finances of such town, is hereby authorized and empowered to incur indebtedness, and to issue bonds or other obligations to pay such indebtedness, for the purchase of fire engines, or other fire apparatus, equipment or appliances, to the amount not to exceed fifty thousand dollars; *providing, however,* that all indebtedness incurred, bonds and other evidence of indebtedness issued in connection with the purchase of such fire engines or other fire apparatus, equipment or appliances, shall be under the provision of the act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness, by county, city, borough, vil- Bond issue.  
  
Proviso.

lage, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

Repealer.

4. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

5. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 68.

A Supplement to an act entitled as amended "An act to secure to mechanics and others payments for their labor and materials in erecting any building, and in making certain improvements to land (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Surety company bond to secure mechanics' lien.

1. Whenever a lien claim shall be filed against any land and buildings, or either of them, under the provisions of an act to which this is a supplement, the owner or owners thereof, or any person or corporation having an interest therein, may file with the clerk of the county where such land and buildings, or either of them, are situate a bond in favor of such lien claimant or claimants executed by such owner, person or corporation, with some surety company duly authorized to transact business in the State of New Jersey as surety thereon, in double the amount claimed by said lien claimant or claimants in said lien claim, and conditioned for the payment of any judgment and costs that may be recovered by said lien claimant or claimants under said lien claim against said land and buildings, or either of them.



2. The filing of said bond shall be considered as an appearance by the principal and surety thereon in any action commenced, or to be commenced, upon said lien claim, and said principal and surety shall thereupon become parties defendant to any such action.

Effect of filing bond.

3. Upon the filing of such bond said land and buildings, or either of them, shall thereafter be freed and discharged from said lien claim, and the words "discharged by bond" shall be entered by the clerk of said county in his lien docket opposite the entry of said lien.

Filing bond discharges lien.

4. Judgment shall be entered against the surety on such bond only in the event that it is finally determined in such action that judgment would have been entered against said land and buildings, or either of them, if they had not been discharged as hereinabove provided. If judgment is not so entered against said surety, or if such proceedings are taken that said land and buildings, or either of them, would have been discharged in accordance with the provisions of the act to which this is a supplement, if such land and buildings, or either of them, had not been discharged in accordance with the provisions of this supplement, said bond shall be duly cancelled and discharged on five days' notice to the lien claimant or lien claimants by order of the court in which such action on such lien claim has been commenced, or if not commenced, by order of the Circuit Court of the county in which such land and buildings, or either of them, are situated.

Entering judgment.

5. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 69.

An Act to amend "An act concerning police departments in such cities of the first class in this State as have heretofore accepted and adopted by popular vote the provisions of an act of the Legislature entitled 'An act to remove the fire and police departments in the cities of this State from political control,' approved May second, one thousand eight hundred and eighty-five, and for the relief of members of such police departments and their families, and to provide for the establishment, management and distribution of a police pension and retirement fund therein," approved April eighth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 2  
amended.

1. That section two of an act entitled "An act to amend an act concerning police departments in such cities of the first class in this State as have heretofore accepted and adopted by popular vote the provisions of an act of the Legislature entitled 'An act to remove the fire and police departments in the cities of this State from political control,' approved May second, one thousand eight hundred and eighty-five, and for the relief of members of such police departments and their families, and to provide for the establishment, management and distribution of a police pension and retirement fund therein," approved April eighth, one thousand nine hundred and fourteen, be amended to read as follows:

Trustees.

2. Such pension fund shall be under the control and management of a board of ten trustees, to be composed of

(a) The chief of police of such city, who shall be president ex officio of said board.

(b) One superior officer from each rank where there are now or may hereafter be four ranks subordinate to the chief of police, and in the event of the abolishment of any rank or ranks, the superior officers receiving the highest number of votes shall be declared elected members of the board of trustees; *provided, however,* that one member from each existing rank shall be elected.

Proviso

(c) Five patrolmen of the police force of such city; such patrolmen and superior officers shall be nominated in April and elected in May of each year by the patrolmen and superior officers respectively; and shall serve three years. In the event of promotion to a higher rank, resignation, dismissal from the department, or death of any member duly elected as a member of said board of trustees, an election shall be held immediately to fill such vacancy; of the members elected to such board of trustees the terms of three members thereof shall expire the first year thereafter, three shall expire two years thereafter and three shall expire three years thereafter, so that the term of office of but three members shall expire in each year.

Vacancies.

Terms.

No police officer other than the chief of police shall be eligible to election to the board of trustees, unless he shall have served as a member of such police department for at least nine years.

Service required.

2. That section three of said act be amended to read as follows:

Section 3 amended.

3. Such trustees shall give bonds with duly authorized security companies, as surety thereon, for the faithful performance of their duties in such amounts as shall be fixed by the said board of trustees.

Trustees bonded.

3. That section nine of said act be amended to read as follows:

Section 9 amended.

9. Such pension fund shall be provided for and sustained as follows:

Sources of fund.

(1) By one-half of all the rewards for the apprehension or conviction of any person charged with crime or any offense against the laws of the United States, or any State, received by any member or employee of the police force of any such city, which shall be paid to the treasurer of such fund for its uses and purposes.

Rewards.

## Insurance.

(2) By two per centum (2%) of the premium received for accident, plate glass, burglary and theft insurance effected in such cities by foreign insurance companies; and upon and after the creation of the said board of trustees, under and by virtue of this act, such agents and brokers of such foreign insurance companies shall pay said two per centum (2%) of the premium received by them for such insurance in such cities to the treasurer of the board herein authorized.

## Dog licenses.

(3) By all dog license fees paid to such cities wherein this act shall take effect.

## Certain permits.

(4) By all moneys paid to such cities for permits to parade and to carry firearms and revolvers.

## Unclaimed goods and money.

(5) By all moneys derived from the sale of unclaimed goods and unclaimed money under the provisions of an act entitled "An act to amend an act entitled 'An act providing for the sale of unclaimed goods and chattels and for the disposition of unclaimed money by police departments of this State,'" approved April twentieth, one thousand nine hundred and nine.

## Badges for special officers.

(6) By all moneys derived from the issue of badges to special officers under an act entitled "An act relating to the appointment of special police officers of this State," approved April twenty-first, nineteen hundred and nine.

## Section 12 amended.

4. That section twelve of said act be amended as follows:

## Beneficiaries.

12. No person shall be entitled to the benefit of this act except upon a resolution adopted by a majority of the members of the board of police commissioners, stating that said person is so entitled to such benefits, and said board of police commissioners is hereby authorized to call to their assistance for the purposes of determining whether any person is permanently disabled or otherwise disqualified from performing the functions or duties of his office or position any physician or physicians, alienist or alienists as said board of police commissioners in its discretion may determine. The action of such board of police commissioners shall not be effective to grant such pension unless it be concurred in by a majority of the members of such board of

trustees. Where, however, a person being a member or employee of said police force shall desire to retire by reason of age, injury or disease, said person shall make application in writing to the board of police commissioners for such retirement, whereupon said board of police commissioners shall call to their assistance the aid of the surgeon or physician representing the police commission of said city, and the person so making application may likewise call to his aid a physician duly authorized to practice medicine and surgery under the laws of this State. The president of such board of police commissioners or any other member of said board is hereby authorized to administer oaths to said physicians or any other person called on behalf of said person, or on behalf of said board, in respect to the question of the disqualification of said person by reason of age, injury or disease, and upon the conclusion of the hearing of such matter shall determine whether said person is or is not entitled to the benefits of this act, and shall adopt an appropriate resolution either to the effect that such person is or is not entitled to the benefits of this act. In case, however, of the failure of the two physicians called, as in this section provided, to agree as to whether or not the person so applying for retirement is or is not disabled from performing the duties of his office, either by reason of age, injury or disease, as aforesaid, then said board of police commissioners may call in a third physician, and the determination of the majority of the said three physicians shall be reduced to writing, and shall be certified to the secretary of the said board of said police commissioners, and the said board shall consider the same in arriving at their final decision. Such decision shall be subject to concurrence by the board of trustees as above provided.

Retirement on application.

Physician called.

Testimony as to disqualification.

In case of disagreement.

5. That section fifteen of said act be amended to read as follows:

Section 15 amended.

15. The widow of every member of such police force of such city having paid into the fund the full amount of the annual assessment or contributions who shall have died from causes other than injuries received in the performance of duty, and who shall have served nine

As to widow and children.

Amount of  
pension.

As to parents.

years as a member of such police force, shall, so long as she remains unmarried, provided, however, she becomes his wife before he attained the age of fifty years, receive a pension equivalent to one-fourth of the pay of her deceased husband, but in no event to be less than the sum of three hundred and sixty-five dollars (\$365) per year; and in case there be no widow, or said widow shall remarry, and there be minor children under the age of sixteen years, their maintenance and support shall, at the discretion of the said board of trustees, be provided for. If, however, such member shall leave neither widow or children him surviving, then the parent or parents of such member, if dependent on him for support, shall receive from such fund a sum equal to one-quarter of the salary received by such member. If such dependent parent shall remarry after such member's death, he or she shall cease to be entitled to a pension thereafter.

6. This act shall take effect immediately.

Approved March 19, 1917.

## CHAPTER 70.

An Act for the appointment of a chaplain or chaplains at the State Prison Farm at Leesburg established and maintained under chapters 255 and 289 of the Laws of the Legislature of 1913.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Prison farm  
chaplain.

I. There shall be appointed from time to time hereafter by the Governor, with the advice and consent of the Senate, chaplain or chaplains, not exceeding two, for the State Prison Farm at Leesburg established and maintained under the aforesaid acts of the Legislature. Such chaplain or chaplains shall hold office for the term

Term.

of three years, and shall receive an annual salary of five hundred dollars, payable in equal monthly installments by the State Treasurer on warrants of the Comptroller. Any duly ordained or licensed minister or preacher of the gospel shall be eligible to appointment to said office.

Salary.

Eligibility.

2. This act shall take effect immediately.

Approved March 19, 1917.

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## CHAPTER 71.

An Act to amend a supplement to an act entitled "An act to enable incorporated towns to construct water works for the extinguishment of fires and supplying the inhabitants thereof with pure and wholesome water," passed March fifth, one thousand eight hundred and eighty-four, which supplement was passed April first, one thousand nine hundred and two.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section one of the act entitled "A supplement to an act entitled 'An act to enable incorporated towns to construct water works for the extinguishment of fires and supplying the inhabitants thereof with pure and wholesome water,'" passed April first, nineteen hundred and two, is hereby amended so as to read as follows:

Section 1  
amended.

1. Whenever the board of water commissioners of any incorporated town in this State shall find that said sum of sixty thousand dollars, provided for in the act of which this is a supplement, is insufficient for the purposes of constructing and fully completing said water works, or that the water works and reservoirs, aqueducts, apparatus, erections, works, establishments and fixtures for supplying water works of any such town, are inadequate to furnish a sufficient amount of pure

When additional bonds  
may be issued.

and wholesome water for the purpose designated in and contemplated by said act, that the said board of water commissioners shall report such fact to the mayor and council, or other governing body of such town, and it shall thereupon be the duty of the such mayor and council or other governing body of such town to order and appoint an election of the legal electors thereof, to be held in such town, to determine whether an additional sum shall be raised for such purpose, and if so, what sum, not exceeding, with the sum already appropriated, in the whole, five hundred thousand dollars; of which election the clerk of such town shall cause public notice of the time and place of holding the same to be given by advertisements, signed by himself and set up in at least five public places in such town, and published in one or more newspapers printed therein at least six days previous to the day of said election, and said clerk shall provide for each elector voting at such election, ballots to be printed or written, or partly printed and partly written, on which shall be either the words, "For an additional appropriation for water supply under the provisions of the act entitled 'An act to enable incorporated towns to construct water works for the extinguishment of fires and supplying the inhabitants thereof with pure and wholesome water' and the supplements thereto, \$.....," or "Against an additional appropriation for water supply under the provisions of the act entitled 'An act to enable incorporated towns to construct water works for the extinguishment of fires and supplying the inhabitants thereof with pure and wholesome water' and the supplements thereto;" and that the polls for such election shall be held at the same places, and shall be opened and closed at the same hours, and such election shall be conducted by the same officers and in the same manner, and such officers shall return the statement of the result of such election, which shall be entered in the same manner as is prescribed and provided for in the twentieth section of the act of which this is a supplement.

Approved March 19, 1917.



## CHAPTER 72.

A Supplement to an act entitled "An act relating to the appointment of court attendants in certain counties and placing such attendants in the competitive class of the civil service," approved May second, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Wherever in counties of the first class there shall exist in a court house an elevator or elevators used exclusively for the transportation of prisoners charged with or convicted of crime, it shall be the duty of the sheriff of such county to assign one or more of the court attendants provided for in the act to which this is a supplement to operate such elevator or elevators.

Elevator  
attendants in  
court house.

2. All persons operating said elevators at the present time shall continue to hold their positions and be classed as court attendants, and shall be placed by the Civil Service Commission of this State in the competitive class, without examination, in such of said counties as have adopted an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

Civil service  
classification.

3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 20, 1917.

## CHAPTER 73.

An Act dedicating certain lands of the State of New Jersey, in the township of Ewing, in the county of Mercer, to public use, and to authorize the township of Ewing, in the county of Mercer, and the board of chosen freeholders of the county of Mercer, to improve the same for the purpose of eliminating grade crossings.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Land dedicated  
for Sullivan  
Way.

1. That the two several tracts of land located in the township of Ewing, in the county of Mercer, hereinafter described, be and the same are hereby dedicated to the public use, for the purpose of relocating Sullivan Way, formerly called the Asylum road, at a point about one hundred and fifty feet southerly from its present crossing over the tracks of the Delaware and Bound Brook Railroad Company, Philadelphia and Reading Railway Company, lessee, so as to extend said Sullivan Way under the tracks of said railroad company, to wit:

Description  
of tract 1.

Tract No. 1. Beginning at a point in the northerly right of way line of the Delaware and Bound Brook Railroad Company, fifty feet at right angles from its center line and twenty feet at right angles westward from the face of the westerly abutment of the subway proposed to be constructed, according to a plan on file with the Public Utility Commission of New Jersey, and forming part of a contract or agreement for the elimination of the grade crossing at the intersection of said Asylum road and said railroad company's right of way, executed by the Philadelphia and Reading Railway Company of the first part, the township of Ewing in the county of Mercer of the second part, the board of chosen freeholders of the county of Mercer of the third

part, and the Trenton, Hamilton and Ewing Traction Company of the fourth part, and distant southwesterly about three hundred and fifty feet from the existing westerly side of said Asylum road at its intersection with the northerly right of way line of said railroad company, and running thence through the land of said State of New Jersey, northward, by a curved line to the right or eastward, of five hundred and seventy-three and seven-tenths feet radius, four hundred and seventy-eight feet, more or less, to a point in line of lands of John J. Thackaray; thence along said land line, crossing the approach to said subway, south seventy-nine degrees twenty-two minutes east, fifty and fifty-one-hundredths feet to a point; thence again through the land of said State of New Jersey, south eighteen degrees forty-eight minutes west, one hundred and ten feet to a point and westward, by a curved line to the left, or southward, of six hundred and three and eight-tenths feet radius, two hundred and twenty-two feet, more or less, to point in the aforesaid right of way line; thence along said line south thirty degrees forty-five minutes west, parallel with said center line, one hundred and forty-four feet to the place of beginning. Containing seven hundred and nine-thousandths acres. Subject to the rights granted by John J. Thackaray to the Trenton, Hamilton and Ewing Traction Company, its successors and assigns, by deed dated August thirtieth, nineteen hundred and seven, and recorded in the county clerk's office at Trenton in Deed Book No. 300, page 356.

Area.

Reserved  
rights.

Tract No. 2. Beginning at a point in the southerly right of way line of said Delaware and Bound Brook Railroad Company, fifty feet at right angles from its center line and twenty feet at right angles, westerly from the face line of said westerly abutment of subway referred to in describing the beginning point of Tract No. 1, and running thence along said right of way line north thirty degrees forty-five minutes east, parallel with said center line, one hundred and forty-eight and two-tenths feet to the west side of the existing Asylum road; thence along said side of road

Description  
of tract 2.

south five degrees twenty-nine minutes west, four hundred and eighty-two and five-tenths feet to the set stone at the northeast corner of the Trenton, Hamilton and Ewing Traction Company's land; thence through the land of said State of New Jersey north two degrees forty-five minutes west, two hundred and nine-tenths feet, and northward by a curved line to the left, or westward, of nine hundred and twenty-seven and two-tenths feet radius, one hundred and fifty-three and six-tenths feet, more or less, to the place of beginning. Containing three hundred and eighteen thousandths acres.

Area.

Approaches.

2. The township of Ewing, in the county of Mercer, and the board of chosen freeholders of the county of Mercer, be and they hereby are authorized to construct approaches and such other work as may be necessary to an undergrade crossing on the land hereby dedicated, and to contract with the Delaware and Bound Brook Railroad Company and the Philadelphia and Reading Railway Company, or either of them, to construct said approaches and other work, in whole or in part, as may be agreed upon or may have already been agreed upon between the parties to such contract.

Right of  
re-entry.

3. In case the lands hereby dedicated should be vacated or used for purposes other than public use as a highway, then the State of New Jersey, its officers or agents, may re-enter upon and close and resume possession of the lands hereby dedicated.

4. This act shall take effect immediately.

Approved March 20, 1917.

## CHAPTER 74.

An Act providing for the licensing and bonding of all dealers in milk and cream who purchase from or contract with producers in this State or who receive milk or cream from such producers for shipment, sale or manufacture.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. On or after July first, nineteen hundred and seventeen, no person, firm, association or corporation shall engage in or carry on the business of buying milk or cream in this State for the purpose of shipping or for sale, resale or manufacture, unless such business be regularly transacted or conducted at an office or station within the State and unless such person, firm, association or corporation be duly licensed as provided herein-after. Every such person, firm, association or corporation before engaging in the business of buying milk or cream for the purposes aforesaid, shall, annually, on or before June first, file an application with the Secretary for Agriculture for a license to transact such business. The application shall state the nature of the business, as hereinabove set forth, the full name or names of the person or persons or corporation applying for the license, and, if the applicant be a firm or association, the full name of each member of such firm or association, the city, town or village and street number at which the business is to be conducted, and such other facts as the Secretary for Agriculture shall prescribe. The applicant shall further satisfy the Secretary for Agriculture of his or its character, financial responsibility and good faith in seeking to engage in such business. The Secretary for Agriculture shall thereupon issue to such applicant, on payment of ten dollars, a license entitling the applicant to conduct the business of buying milk and cream

Milk dealers  
licensed.

Application  
for license.

Statement in  
application.

License fee.

- from producers for the purpose aforesaid at an office or station at the place named in the application until the first day of July next following; *provided, however*, that if application be made subsequent to July first in any year, said license shall run until the first of July next following. A license shall not be issued, however, to any applicant if during the year preceding the application a complaint from any producer and seller of milk and cream shall have been filed with the Secretary for Agriculture against such applicant for any grounds specified in section three hereof, and such complaint shall have been established as true and just to the satisfaction of the Secretary for Agriculture after such complaint shall have been investigated by the Secretary for Agriculture in the manner provided for in section two hereof. A license shall not be issued as provided in this section unless and until the applicant shall file with the Secretary for Agriculture as herein provided, a good and sufficient surety bond executed by a surety company duly authorized to transact business in this State in a sum not less than one and one-half times the estimated maximum monthly indebtedness of the applicant to the parties or persons from whom he may purchase or receive or may have purchased or received milk or cream, or unless the applicant shall be relieved from such requirement as hereinafter provided. Such bond shall be approved as to its form and sufficiency by the Secretary for Agriculture.
- Such applicant may in lieu of such bond deposit with the Secretary for Agriculture money or securities in which banks may invest the moneys deposited therein, as provided by law, in an amount equal to the sum secured by the bond required to be filed as herein provided.
- The bond required to be filed hereunder shall be given to the Secretary for Agriculture in his official capacity and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the payment of all amounts due to persons who have sold milk or cream to such licensee, during the period that the license is in force. The money or securities deposited
- Proviso.
- License refused on established complaint.
- Surety bond.
- Cash deposit instead of bond.
- Condition of bond.
- Use of deposit.

with the Secretary for Agriculture as above provided, shall constitute a separate fund and shall be held in trust for, and applied exclusively to, the payment of claims against the licensee making such deposit, arising from the sale of milk or cream to such licensee.

Upon default by the licensee in the payment of any money due for the purchase of milk or cream, which payment is secured by a bond or the deposit of money or securities as hereinbefore provided for, the creditor may file with the Secretary for Agriculture, upon a form prescribed by him, a verified statement of his claim. If such creditor shall have reduced such claim to judgment, or shall thereafter and before the commencement of the action by the Secretary for Agriculture, as hereinafter provided for, reduce such claim to judgment, a transcript of such judgment shall also be filed with the Secretary for Agriculture.

If licensee default.

Such statements may be filed at any time during the period of the license for purchases made during such period and within ninety days from the termination of such period.

When statement filed.

After the expiration of ninety days from the termination of any license period the Secretary for Agriculture shall, by proper action wherein all such creditors and any surety upon any bond given as hereinbefore provided for and the licensee shall be parties, proceed to determine the amount due each such creditor, and the judgment rendered in such action shall be enforced ratably for such creditors against the surety on the bond, if one there be, or against the moneys or securities deposited as hereinbefore provided for. If any creditor shall have reduced his claim to judgment such judgment shall be presumptive proof of the amount due such creditor in any action brought by the Secretary for Agriculture as hereinbefore provided for.

Settlement of claims.

Every bond given pursuant to the provisions hereof shall be applicable, in the first instance, to the payment of all claims arising during the license period for which such bond shall continue, and filed either during such period or within ninety days after the expiration thereof. If all such claims shall be paid the balance available upon

Application of bond.

such bond shall be devoted to the extinguishment ratably of claims arising during such license period, but for which statements shall not have been filed until after ninety days after the expiration of such period.

Use of deposits.

All moneys and securities, deposited as herein provided for, shall be applicable, in the first instance, to the extinguishment of claims, properly filed, arising during the license period for which such moneys or securities were originally deposited, and if, after the extinguishment of such claims, there shall be a surplus remaining, such surplus shall be devoted to the extinguishment of claims arising during any preceding license period which were properly filed as hereinbefore provided, all claims for any one license period to be of a parity. Any surplus remaining after the extinguishment of such prior claims shall be added to the moneys or securities then on deposit with the Secretary for Agriculture, or, if there be at that time on file with the Secretary for Agriculture a bond given pursuant to this section, or if there be then on deposit with the Secretary for Agriculture additional moneys or securities deposited as herein provided for, and if such bond or such moneys or securities, as the case may be, shall, in the opinion of the Secretary for Agriculture, be sufficient, such surplus shall be returned to the licensee.

Surplus.

Statement on demand.

A person or corporation licensed hereunder shall make a verified statement of his or its disbursements during a period to be prescribed by the Secretary for Agriculture, containing the names of the persons from whom such products were purchased, and the amount due to the vendors thereof. Such statement shall be submitted to the Secretary for Agriculture when requested by him and shall be in form as prescribed by the Secretary for Agriculture. If it appears from such statement or other facts ascertained by the Secretary for Agriculture, upon inspection or investigation of the books and papers of such licensee as authorized by section two of this act, that the security afforded to persons selling milk or cream to such licensee by the bond executed or deposit made by such licensee as herein provided does not ade-



quately protect such vendors, the Secretary for Agriculture may require such licensee to give an additional bond or to deposit additional money or securities, to be executed or deposited as above provided, in a sum to be determined by the Secretary for Agriculture, but not exceeding by more than fifty per centum the maximum amount paid out by such licensee to sellers of milk in any one month; *provided, however*, that the maximum amount of the bond or deposit required from any applicant under the provisions of this section shall be one hundred thousand dollars; and that any applicant filing a bond or depositing money or securities in such maximum amount may be exempted from filing either the statements of milk purchased, or the statements of disbursements in this section provided for.

Bond may be raised.

Proviso; maximum bond or deposit.

Exemption.

If the applicant for a license under this section be a person who is a resident of this State or a domestic corporation, the Secretary for Agriculture may, notwithstanding the provisions of this section, if satisfied from an investigation of the financial condition of such person or domestic corporation that such person or corporation is solvent and possessed of sufficient assets to reasonably assure compensation to probable creditors, by an order filed with the Department of Agriculture, relieve such person or corporation from the provisions of this section requiring the filing of a bond.

Certain applicants relieved from filing bond.

The term "station" or "milk gathering station," as used in this and ensuing sections of this act, shall include any established office where the business of buying milk or cream as herein provided for is carried on, with or without a place or premises in connection therewith for the physical handling of milk or cream, provided that such station or office shall be a suitable place for keeping such records and accounts and for posting such notices and statements as are required or as may hereafter be ordered under the provisions of this act, and for keeping for inspection, as hereinafter provided, a copy of the license under which the business of the licensee is conducted.

"Station" defined.

2. The Secretary for Agriculture and his assistants shall have power to investigate upon the complaint of

Investigation of complaints.

any interested person, or of his own motion, the record of any person, firm or corporation applying for or holding a license, or any transaction involving the purchase of milk for shipment as provided in section one; and for such purpose may examine the ledgers, books of account, memoranda or other documents of any such person, firm, association or corporation applying for or holding a license and may take testimony therein under oath; but information relating to the general business of any such person, firm, association or corporation, disclosed by such investigation and not relating to the immediate purpose thereof, shall be deemed of a confidential nature by the Secretary for Agriculture, his assistants, representatives and employees. When a complaint is filed with the Secretary for Agriculture, he shall attempt to secure an explanation or adjustment, and, failing this within ten days, he shall cause a copy of the complaint, together with a notice of the time and place for a hearing thereon, to be served personally or by mail upon said applicant or licensee. If served by mail, such complaint and notice shall be directed to the applicant or licensee at his place of business, with postage fully prepaid thereon. Such service shall be made at least seven days before the hearing. At the time and place appointed for such hearing, the Secretary for Agriculture or his assistants shall hear the parties to the complaint, shall have power to administer oaths and shall enter in the records of the office of the Secretary for Agriculture a decision either dismissing such complaint or specifying the facts which he deems established on such hearing.

Copy of complaint served.

Hearing.

Causes for refusing or revoking license.

Judgment entered.

Failure to settle.

3. The Secretary for Agriculture may decline to grant a license or may revoke a license already granted when he is satisfied of the existence of the following cases or either of them:

(1) Where a money judgment has been secured by any milk producer and has been entered against such applicant or licensee and remains unsatisfied of record.

(2) Where there has been a failure to make prompt settlements to persons from whom he buys milk, with intent to defraud.

(3) Where there have been combinations to fix prices. Combination.

(4) Where there has been a continual course of dealing of such nature as to satisfy the Secretary for Agriculture of the inability of the applicant or licensee to properly conduct the business or of an intent to deceive or defraud creditors. Failure to conduct business properly.

(5) Where there has been a continued and persistent failure to keep records required by the Secretary for Agriculture or by law; or where there is a refusal on the part of the licensee to produce books, accounts or records of transactions in the carrying on of the business for which such license was granted. Records not kept; books not shown. 5

4. The action of the Secretary for Agriculture in refusing to grant a license, or in revoking a license granted under section one, shall be subject to review by any court of competent jurisdiction, and if such proceedings are begun to review the revocation of license, the license shall be deemed to be in full force and effect until the final determination of said proceedings of review. Review by court.

5. Every proprietor of a milk gathering station shall keep, in such form as the Secretary for Agriculture may prescribe, a record of transactions of purchases of milk or cream by him, and he shall, at least semi-monthly, deliver to each person from whom he receives or purchases milk or cream and in the unit of measure used in computing the amount due therefor, an itemized statement of the several amounts or quantities of such milk or cream so received or purchased at such milk station from such person during the prior half month, or, if statements are delivered more frequently than semi-monthly, during the period of time which has elapsed since the delivery of such last prior statement. If the milk or cream is purchased or received on a butter fat basis, such statements shall include the percentage, or average percentage, of butter fat contained in said milk or cream as determined by tests periodical or otherwise. Every such proprietor of a milk gathering station shall post in a conspicuous place in such milk station a schedule of the prices being paid for milk or cream, including the premi- Record of transactions.  
Itemized statement.  
Schedule of prices paid posted.

ums paid or deductions made, if any, for milk or cream containing milk fat either in excess or in lesser amount than the agreed standard, and shall keep a correct account of all the milk or cream daily received or purchased from each person at such milk station, which account shall be open to inspection by said person.

Copy of license posted.

6. Every person, firm, association or corporation licensed under the provisions of this act and carrying on or conducting business under such license shall post in a conspicuous place in or at the place of business of such licensee a copy of such license to be furnished by the Secretary for Agriculture, to be kept so posted and exposed for inspection by any person or persons who may properly make such inspection.

If dissatisfaction, investigation made.

7. If either party to the transaction of purchase and sale between a milk producer or a milk seller and a licensed buyer of milk shall be dissatisfied relative to any transaction of purchase and sale of milk between a milk seller and a licensed buyer of milk, he may apply to the Secretary for Agriculture, in writing, within sixty days after the delivery of such milk to the licensed buyer, for investigation. The Secretary for Agriculture shall treat such application as a complaint and shall cause a full investigation of the transaction complained of to be made either by himself or one of his assistants, in the manner provided for in section two.

Penalty for not conforming to act.

8. Any person who, being a buyer of milk for the purposes set forth in section one, whether such person be licensed or whether his business be transacted at a station or otherwise, shall (a) fail to make prompt payments for milk purchased, with intent to defraud, or (b) shall make any false or misleading statement or statements enumerated in sections one to five, inclusive, with intent to deceive, or (c) enter into any combination to fix prices, or (d) not being licensed, shall conduct the business of buying milk for shipment as provided in section one, or (e) being licensed or otherwise, engages in such business without having a station or office therefor, or (f) fails to conform to any requirement of or violates any provision of sections one to five, inclusive, with

intent to deceive a seller of milk, shall be guilty of a misdemeanor.

Approved March 20, 1917.

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## CHAPTER 75.

An Act to repeal an act entitled "An act creating a Highway Commission and to provide for the construction, reconstruction and improvement of certain State Highways, providing for the payment of the cost thereof from the proceeds of the sale of bonds to be issued by the State to an amount of seven million dollars, and providing for the payment of the principal and interest of said bonds from the motor vehicle license fees, registration fees, fines and penalties," approved March thirty-first, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The act entitled "An act creating a Highway Commission and to provide for the construction, reconstruction and improvement of certain State highways, providing for the payment of the cost thereof from the proceeds of the sale of bonds to be issued by the State to the amount of seven million dollars, and providing for payment of the principal and interest of said bonds from the motor vehicle license fees, registration fees, fines and penalties," approved March thirty-first, one thousand nine hundred and sixteen, be and the same is hereby repealed. Act repealed.

2. This act shall take effect immediately.

Approved March 20, 1917.

## CHAPTER 76.

An Act to amend an act entitled "An act relative to the government and management of hospitals for the insane owned by the State of New Jersey," approved March seventeenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 2  
amended.

1. Section two of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Two boards  
of managers.

The general management and control of the said hospitals shall, as heretofore, be vested in a board of managers, to be known and designated as "The Board of Managers of the New Jersey State Hospital at Trenton," and "The Board of Managers of the New Jersey State Hospital at Morris Plains," respectively; each of said boards shall continue to have the exclusive management and control of the hospital for which they shall be appointed, and shall consist of ten persons, of whom at least two shall be women. Of the male members of each board no more than four shall belong to the same political party. Each member shall be a resident of the district within which the hospital for which he or she is appointed shall be situate; they shall, when a vacancy or vacancies occur, be appointed by the Governor, by and with the advice and consent of the Senate; *provided*, that the appointment of the feminine members shall be completed as soon as may be after this act becomes a law. Each member shall hold office for the term of five years, and until his or her successor is appointed and qualified. Any vacancy occurring in either of said boards shall be filled for the unexpired term only; *provided, however*, that nothing in this act

How boards  
constituted.

District resi-  
dence.

Vacancies.

Proviso.

Term.

Proviso.

contained shall be construed to terminate, abridge or in any way affect the term of office of any member of existing boards of managers, but the members of such boards shall serve their respective terms of appointment.

Approved March 20, 1917.

## CHAPTER 77.

An Act to amend an act entitled "An act to increase the efficiency of the public school system of the State by providing for additional free scholarships at the State Agricultural College, which act was approved March thirty-first, one thousand eight hundred and ninety.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section two of the act of which this act is an amendment is hereby amended to read as follows:

Section 2  
amended.

2. Said students shall be selected as follows: A competitive examination, under the direction of the city superintendents and the county superintendent of education, in each county, shall be held upon the first Thursday in June in each year and the Friday and Saturday following, at such place or places in each county as shall be designated by the said superintendents, and the necessary traveling expenses of said examiners not otherwise provided for by law, on the approval of the president and secretary of the Board of Visitors of said State Agricultural College, shall be paid by said State College; students who apply for examination shall be examined upon such subjects as may be designated by the faculty of said college and the State Board of Education; and the said city and county superintendents shall report to the president of said college and the State Commissioner of Education, the names of all

Students  
selected by  
examination.

When held.

Subjects.

Certificates by  
whom issued.

such students examined as in their opinion are suitably prepared to enter said college, with their estimate of the order of excellence in scholarship shown by said students at such preliminary examination; certificates of appointment to the State Agricultural College shall be issued by the State Commissioner of Education, to all of such students are so found to be qualified to enter said college; and in case the vacant scholarships shall not be sufficient to receive all such successful candidates, preference in appointing to vacant scholarships shall be given to successful candidates in the order of the excellence of their examination as certified by said superintendents; and in general the regulations and provisions governing the conduct of such examinations, and the appointment of said students to said scholarships, shall be subject to the control of said board of visitors of said college.

Filling va-  
cancies.

If at the beginning of any year any scholarship awarded in any preceding year be vacant, such scholarship may be filled, on the recommendation of the president of the college, by the State Commissioner of Education from students in the sophomore, junior and senior classes, residents of New Jersey, on the basis of excellence of work in the preceding year or from students who have qualified for entrance in excess of the number of scholarships to be awarded for that year. Students so appointed from the sophomore, junior and senior classes shall then be regarded as if appointed and admitted to the college after examination as aforesaid.

Repealer.

2. This act shall take effect immediately. And all acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 20, 1917.



## CHAPTER 78.

A Supplement to an act entitled "An act concerning auto busses, commonly called jitneys, and their operation in cities," approved March seventeenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In lieu of the monthly franchise tax provided for by section three of the act to which this is a supplement, any city of the fourth class of this State which may consent to the operation of auto busses along or over any of the streets of such municipality may, by ordinance, provide for an annual license fee of any amount not exceeding one hundred dollars, to be paid at such period as may by said ordinance be designated, by the owner or operator of such auto bus before engaging in such business. Should such annual license fee be so provided, monthly statements of gross receipts need not be filed with the city treasurer of such municipality.

License fee  
in fourth class  
cities.

2. Any person who shall engage in said business without having first paid the license fee so provided for shall at once be subject to the penalties provided for by section five of the act to which this is a supplement.

Penalty.

3. All acts or parts of acts inconsistent herewith be and the same are hereby repealed to the extent of such inconsistencies, and that this act shall take effect immediately.

Repealer.

Approved March 20, 1917.

## CHAPTER 79.

An Act to amend an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners, or improvement commissions in this State," which act was approved April twenty-fifth, one thousand nine hundred and eleven, the title of which act was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 19  
amended.

1. Section nineteen of an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven, be and the same is hereby amended to read as follows:

After six years  
may resume  
charter.

19. Any city which shall have operated for more than six years under the provisions of this act may at the general election preceding the year in which commissioners are regularly to be elected abandon such organization hereunder and may resume its charter by proceeding as follows:

By petition.

Upon the petition of not less than twenty-five per centum of the electors of such city, the following proposition shall be submitted: "Shall the city of (name of city) abandon its organization under the provisions of an act of one thousand nine hundred and eleven, entitled 'An act relating to, regulating and providing for the government of cities within this State,' and resume or adopt a charter under another act?"

Return to  
charter if  
majority so  
decide.

If a majority of the votes cast at such election be in favor of such proposition, the officers elected at the

next succeeding regular municipal election shall be those prescribed by the charter, and upon the qualification of such officers such city shall become a city under the charter, but such change shall not in any manner or degree affect the property, right or liability of any nature of such city, but shall merely extend to such change in its form of government.

Effect of  
change.

The sufficiency of such petition shall be determined, the election ordered and conducted, and the results declared generally as provided by Article IV of this act in so far as the provisions thereof are applicable.

Procedure  
by article IV.

Approved March 20, 1917.

## CHAPTER 80.

An Act to authorize municipalities in this State to purchase and distribute food supplies in cases of emergency.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever the governing body of any municipality in this State shall, by resolution adopted by the votes of at least three-fourths the members of such governing body, declare that an emergency exists which calls for municipal action to insure a necessary supply of food to the inhabitants of such municipality, it shall be lawful for such governing body, by further resolution passed by a like vote, to authorize the purchase by such municipality through the mayor or such other officer or officers of such municipality as may be designated in such resolution, of such staple food products and in such quantities as shall be named in such resolution, and to distribute the same among the people of such municipality at such price as will reimburse such municipality for the cost of purchase and distribution of the

Purchase and  
distribution of  
food in emer-  
gencies by  
municipalities.

same. The governing body of any municipality shall have power, by resolution, to prescribe the method of such distribution of food products and to limit the same in such manner as shall seem to such governing body most conducive to the public welfare.

Providing  
funds.

2. The governing body of a municipality acting under the provisions of the preceding section of this act may use for the purchase of food products any funds available for emergency or general municipal purposes, and where no such funds, or where insufficient funds are available, such governing body shall have power to borrow in the name of and on the credit of such municipality such funds as may be necessary to purchase for the purpose of distribution, as aforesaid.

Termination  
of powers.

3. The powers hereby conferred shall cease and determine on the fourth day<sup>o</sup> of July, nineteen hundred and eighteen.

4. This act shall take effect immediately.

Approved March 20, 1917.

## CHAPTER 81.

An Act concerning the militia of the State.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

### MILITIA OF THE STATE.

Militia how  
composed.

1. Composition of the Militia.—The militia shall consist of all able-bodied male citizens of this State and all other able-bodied males who have or shall have declared their intention to become citizens who shall be more than eighteen years of age and residents of this State and, except as hereinafter provided, not more than forty-five years of age, and said militia shall be divided into three classes, namely, the National Guard, the Naval Militia and the Unorganized Militia.

Age.

Classified.

2. Exemptions from Militia Duty.—The Vice-President of the United States; the officers, judicial and executive, of the Government of the United States and of this State; persons in the military or naval service of the United States; custom house clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals and navy yards of the United States; pilots, mariners actually employed in the sea service of any citizen or merchant within the United States, and such other persons as may be specially exempted by the laws of the United States or the laws of this State, shall be exempt from militia duty without regard to age, and all persons who because of religious belief shall claim exemption from military service if the conscientious holding of such belief by such person shall be established under such regulations as the President of the United States or the Governor of this State shall prescribe, shall be exempted from military service in a combatant capacity; but no person so exempted shall be exempt from militia service in any capacity that the President of the United States or the Governor of this State shall declare to be noncombatant.

Exemptions.

3. Commander-in-Chief.—The Governor, or other person administering the government, shall be the commander-in-chief of all the military and naval forces of the State.

Commander-in-chief.

4. Powers of the Governor.—The Governor shall have power in case of actual or threatened insurrection, invasion, tumult, riot or breach of the peace or imminent danger to public safety to order into the active service of the State all or any part of the militia that he may deem necessary, and to maintain it in service until the exigency requiring it shall have passed. When the militia, or any part thereof, is called forth under the laws of the State or of the Constitution and laws of the United States, the Governor shall order for service the National Guard, or such part thereof as may be necessary, and if the number available be insufficient he shall order out such other part of the militia as he may deem necessary.

Powers of governor.

Militia organization.

The Governor shall have the power to organize the militia into departments, brigades, corps, regiments, battalions, squadrons, companies and other units as may from time to time be considered necessary, all to be formed and organized in conformity with the laws governing the Army of the United States and the regulations issued by the Secretary of War, and to make changes in such organizations from time to time as may be necessary to maintain conformity with the similar units of the Regular Army or Navy of the United States.

Governor's staff.

5. Staff of the Governor.—The staff of the Governor shall consist of—

Administrative: One adjutant general, with the rank of brigadier general; one quartermaster general, with the rank of brigadier general; one inspector general of rifle practice, with the rank of brigadier general; one inspector general, with the rank of lieutenant colonel; one judge advocate general, with the rank of lieutenant colonel; one chief of ordnance, with the rank of major; one surgeon general, with the rank of lieutenant colonel.\*

Personal aides to governor.

Personal: Six personal aides-de-camp whose terms of service, unless sooner terminated, shall expire with that of the Governor who shall have appointed them, one of whom may be appointed by the Governor, with the rank of colonel; the other five shall be detailed by order of the Governor from the commissioned officers of the National Guard holding commissions on the active or reserve lists of a grade below that of colonel, and their detail shall operate as an assignment to duty as aides-de-camp, but shall not change the rank or grade of the officers so detailed; aides-de-camp shall not be relieved from assignment with their respective organizations or from routine duty therewith when not actually performing duty as aides-de-camp.

Rules and regulations which govern.

6. Rules and Regulations.—The laws of Congress of the United States, the articles of war, regulations, forms, precedents and usages relating to and governing the Army and Navy, respectively, of the United States, and National Guard of the States, shall, in so far as the

same are applicable and not inconsistent with the Constitution of this State, apply to and govern the active military and naval forces, respectively, of this State, and in addition thereto the Governor shall have the power to issue from time to time such rules and regulations for the government of the National Guard as he may deem necessary.

7. Composition of the National Guard.—The National Guard shall include the Naval Militia, and shall consist of the regularly enlisted militia between the ages of eighteen and forty-five years, organized, armed and equipped as hereinafter provided, and of the commissioned officers between the ages of twenty-one and sixty-four years, classified as follows: The Active National Guard, the National Guard Reserve and the National Guard Retired.

National guard  
how composed.

Classification.

8. The Active National Guard.—The Active National Guard shall consist of the Adjutant General's Department, quartermaster corps, department of rifle practice, inspector general's department, judge advocate general's department, medical department, ordnance department, and such brigades, regiments, battalions, squadrons, companies, naval militia units and other units as now exist or may hereafter be authorized by the Governor, all to be organized in accordance with the laws of the United States and regulations issued for the Federal forces.

Active guard.

9. The Adjutant General's Department.—The Adjutant General's Department shall consist of one adjutant general, with the rank of brigadier general, and such other officers as may, from time to time, be authorized by order of the Governor for duty therein. In the absence of the Adjutant General from the State, or in case of his inability to perform his duties, the Governor shall designate an officer for duty as the acting Adjutant General, who shall, until relieved from duty, exercise the powers and perform the functions of Adjutant General.

Adjutant gen-  
eral's depart-  
ment.

10. Duties.—The Adjutant General shall be the chief of the administrative staff of the military forces of the State, and is, under the direction of the Governor,

Duties of  
adjutant gen-  
eral.

charged with the supervision of all matters pertaining to the command, discipline, training and administration of all departments, corps and troops; he shall keep in his office a record of all officers and enlisted men, and all records and papers required by law or regulations to be filed therein; make to the Governor of the State, and to the Secretary of War and Secretary of the Navy of the United States, such returns and reports as may be required; record, authenticate and communicate to troops and individuals in the military service all orders, instructions and regulations issued by the Governor; cause to be procured, printed and circulated to those affected and concerned the military laws, regulations, orders, books, blank forms and other publications governing the National Guard and Naval Militia, as promulgated by authority of the laws of the State and the United States, and as may be required, from time to time, to carry into full effect the provisions of this act and the proper administration of the military and naval forces of the State; have an appropriate seal, and affix an impression of the same to all certificates of record issuing from his office; shall be the custodian of all military records of the State and be responsible for the filing; indexing and proper safe-keeping thereof; have charge of the historical military records and business of the military and naval forces of the State, including all pensions, pay and other business pertaining to the military or medical histories of former officers and enlisted men; prepare and issue commissions to all officers properly certified and qualified therefor; supervise the recruiting service and all matters pertaining to the enrollment and drafting of all or any part of the militia; investigate and report on all questions affecting the efficiency of the National Guard and its state of preparation for military operations; be responsible for the preparation of plans for the mobilization of the military forces of the State; render professional aid and assistance to the Governor, and perform such other military duties not otherwise assigned by law, as may be ordered by the Governor.



The archives of the Adjutant General's Department shall include all military records of the Revolutionary War, the records of all officers and men of the New Jersey organizations, and movements and operations of troops that have served in the wars of the United States since the Revolutionary War, the medical and military hospital records of the State, all reports of physical examination of recruits, and all enlistment identification cards.

Archives of  
department.

Copies of any books, records, papers or documents in the office of the Adjutant General, certified by him under the seal of his office, or when his office is vacant, by the officer acting as the Adjutant General for the time, shall be admitted in evidence equally with the original thereof.

Copies in  
evidence.

11. Quartermaster Corps.—The Quartermaster Corps shall consist of one quartermaster general, with the rank of brigadier general, and such officers and enlisted men as may from time to time be authorized by order of the Governor for duty therein.

Quartermaster  
corps.

12. Duties.—It shall be the duty of the Quartermaster General, and of officers of the quartermaster corps assigned to such duty under the direction of the Governor, to requisition, purchase and distribute to the National Guard all military stores and supplies requisite for its use; to require a proper accounting for the stores so issued, and to issue regulations for the care, safe-keeping and periodical accounting for same; furnish all public animals for use in the service of the National Guard, either by purchase or hire, including forage, housing, shelter, veterinary medicines and supplies; exercise supervision over the transportation of the National Guard and its supplies, including the purchase, hire, operation, maintenance and repair of such wagons, carts, automobiles, auto trucks, and other vehicles as are, or may be required for the transportation of troops and supplies for official military, garrison or camp purposes; provide the labor and materials for the repair of military stores, and secure, apportion and expend moneys appropriated for these purposes; and

Duties of  
quartermaster  
general and  
corps.

to care for all the matters connected with the military operations which are not expressly assigned to some other department of the National Guard.

Regulations  
for conducting  
corps.

13. Regulations for the Conduct of the Quartermaster Corps.—The Quartermaster General shall from time to time, upon the approval of the Governor, prescribe such regulations as may be necessary or desirable for the efficient conduct of the quartermaster corps.

Subsistence.

14. Subsistence and Commutation.—Enlisted men detailed to duty by order of the Governor shall be entitled to subsistence equal in kind and quantity to that prescribed for enlisted men of the Regular Army and Navy, and the Quartermaster General is authorized to pay to organized messes in cash money, from moneys appropriated for the purchase of subsistence stores and derived from sales and elsewhere, the value of unused ration articles to which they are entitled as a part of the prescribed ration. When the ration cannot be economically issued, commutation for subsistence may be authorized at the discretion of the Governor on a basis not exceeding the cost of the ration. Enlisted men on special duty involving travel, and not accompanying troops, shall, when it is impracticable to provide cooked rations, be entitled to subsistence allowance, when necessary, not to exceed one dollar and fifty cents per day.

Commutation  
for subsist-  
ence.

Supervision  
of military  
property,  
camp, ranges,  
etc.

15. Armories, Arsenal, Camp Grounds, etc.—The Quartermaster General shall exercise supervision over the construction and maintenance of armories, arsenals, storehouses and buildings erected and used for military purposes, including alterations, equipment, furnishing, care, maintenance and protection thereof, and for the acquiring and leasing of camp grounds and rifle ranges, and shall make such rules and regulations for their management and maintenance as circumstances and the best interests of the State may require.

Paying troops.

16. Appropriations.—The Quartermaster General is charged with the pay of troops, and with the expenditure and accounting for all moneys appropriated by the Legislature for the support and maintenance of the National Guard. Expenses thus incurred shall be certified to the Comptroller of the Treasury for payment in

accordance with existing law and regulations; *provided, however,* that moneys appropriated as an annual allowance for the support, maintenance and incidental expenses, and for the leasing, heating and upkeep of drill halls for existing departments, corps and organizations of the National Guard and Naval Militia, shall be paid by the Comptroller of the Treasury on the first Monday of April of each year to the Quartermaster General, and by him deposited to the official credit of disbursing officers designated by the Governor, for the payment of expenses incurred by the several departments, corps and organizations of the National Guard and Naval Militia, subject to such rules and regulations governing the disbursement and accounting for such moneys as the Quartermaster General may prescribe. In like manner the several amounts annually appropriated for heating, lighting and maintaining armories, and for the pay of shipkeepers, maintenance and expenses of the Naval Militia and cruises thereof, shall be paid by the Comptroller to the Quartermaster General for settlement of bills certified as correct and necessary for the proper maintenance and expenses of such armories of the National Guard and ships and armories of the Naval Militia.

Proviso.

Expenses of  
guard met.

Expenses of  
naval militia.

17. Funds Derived from Sale of Stores, Use of Armories, Drill Halls, Buildings Used for Military Purposes and Other Sources.—The Quartermaster General is authorized to cause the inspection, sale and disposition of unserviceable and obsolete military stores, property of the State, and the moneys thus secured, together with revenue derived from the sale of hay, farm implements and pasturage at the camp grounds, may be used for the repair, improvement and expenses of the camp grounds, arsenals and storehouses. He shall issue regulations causing a periodical accounting for receipts and disbursements of moneys derived from the use of armories, drill halls, buildings used for military purposes, rifle ranges, camp grounds and from other sources; and shall hold in custody the funds of disbanded organizations, after settling such necessary obligations as may be presented for payment within

Sale of un-  
usable prop-  
erty; also,  
products of  
camp grounds.

Accounting  
for receipts  
and payments.

three months after such disbandment, and whenever such organization shall be replaced the moneys shall be transferred by the Quartermaster General to the new organization, subject to such periodical accounting for its safe-keeping and expenditure as he may prescribe.

Property and  
disbursing  
officers.

Responsibility  
for property.

Lost, etc.,  
property  
chargeable to  
person at  
fault.

Survey to  
determine  
value.

Recovery of  
value by law.

18. Responsibility for Public Property.—The Governor shall designate, subject to the approval of the Secretary of War, an officer of the quartermaster corps for duty as property and disbursing officer for the United States, who shall receipt and account for all funds and property belonging to the United States in possession of the National Guard, and shall make such returns and reports concerning the same as may be required by the Secretary of War. Every officer and enlisted man to whom public property has been, or may hereafter be issued, shall be financially and personally responsible to the State or the United States, as their interests may appear, for its good condition and safe-keeping, and in case of the loss, damage or destruction of said property, shall not be relieved from such responsibility except it be shown to the satisfaction of the Governor that the loss, damage or destruction was unavoidable and in no way the fault of the person or persons responsible for the property. In all other cases the value of the property lost, damaged or destroyed shall be charged against the person or persons at fault or the organization to which it has been issued, and such persons or organization shall pay upon demand the value of such property to the Quartermaster General or to the property and disbursing officer, as may be determined by the evidence presented, and the moneys thus secured shall be used in replacing the lost, damaged or destroyed property. The value of the lost, damaged or destroyed property, and the person, persons or organization to be charged with the value thereof, shall be determined by a surveying officer appointed by order of the Governor, who shall file a report of his findings and recommendations with the Governor, through proper channels, for administrative action. Should payment for the full value of the lost, damaged or destroyed property not be made by the person at fault or by his surety within sixty

days after demand, the Quartermaster General shall proceed to recover the assessed value by the methods now prescribed by law for the recovery of moneys due the State in civil court.

19. Military Property Exempt from Process of Law. Military property exempt from process.  
—The uniforms, arms and equipments and other military property of the National Guard or in possession of its members shall be exempt from every process of law, except such as may be issued in pursuance of the sentence of a court-martial.

20. Application to Court for Return of Uniforms, Articles of Equipment, etc.—Whenever the Quartermaster General, or any military officer of this State, charged with the care and responsibility of public property, who shall have given a bond for the safe-keeping and return of the same shall, by petition verified by his oath or affirmation, represent to any Court of Common Pleas that a certain person, whom he shall name in such petition, resident in said county, has in his possession and illegally detains any arm or arms, article of clothing or equipments, the property of the United States or this State, describing the same generally, for the safe-keeping and return of which such person has not given bond, after demand made for the same by the said military officer, or by any person by him duly authorized to receive the same, upon filing said petition, it shall be lawful for the said court to make an order requiring the person complained against to deliver up such property to the said military officer by such short day as said court shall appoint, or to show cause on that day, before said court, why the same should not be delivered up, a copy of which order, certified by the clerk of said court, shall be served on said delinquent, personally, at least two entire days before the day of hearing, or left at his last known resident or place of abode at least four entire days before the day of hearing, which service may be made by any constable of the county. Recovery of equipment.

21. Attachment for Non-Delivery of Uniforms and Articles of Equipment.—If the person complained against shall not deliver up said arm or arms, article or articles of clothing and equipments in said petition Attachment for contempt for non-delivery of equipment.

named, on or before the day of hearing, or show good cause to the contrary, on due proof by affidavit of the service of a copy of said order according to law, it shall be lawful for the said court to issue forthwith an attachment for contempt against any person, and he shall be held as in contempt, and dealt with accordingly, until he shall comply with the order of the court or deliver up said arm or arms, article or articles of clothing or equipments, to the military officer filing the petition, or to the sheriff of the county for him, and pay the reasonable cost of such proceeding, to be taxed by the court, for the use of the county.

Equipment  
kept at armory.

22. Uniforms Left at Armory.—The uniforms and equipments issued to each company or other organization shall be kept at the organization armory, and whoever shall sell or dispose of any such uniforms or equipments, or shall refuse to deliver up the same, after demand therefor by proper authority, to the quartermaster or acting quartermaster of the regiment or other organization to which such company shall be attached, or to the commanding officers of such organizations, or shall secrete or remove any such uniform or equipments with intent to sell or dispose thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof in a court of competent jurisdiction shall be punished by imprisonment in the county jail for not less than two or more than six months, or by a fine of not more than one hundred dollars or less than fifty dollars, or both fine and imprisonment, in the discretion of the court.

Seizure of  
equipment un-  
lawfully with-  
held.

23. Seizure of Uniforms and Articles of Equipment.—The commanding officer of a troop, battery, company or other separate organization, or the quartermaster, or acting quartermaster of any regiment to which he may be attached, shall have power to seize upon and hold, as the property of the United States or this State, any uniforms or equipments which are the property of the United States or this State; and it shall be the duty of any justice of the peace of this State, on complaint, on oath, to him made by any such company commandant, regimental quartermaster or acting

quartermaster, that any uniforms or equipments are unlawfully withheld from him, by any person or persons therein named, in the county in which said justice has jurisdiction, and that the same are believed to be in any particular place to be specified in the complaint, to issue to a constable of said county his warrant, in the nature of a search warrant, for said uniforms or equipments, which warrant shall be executed in the same manner as a search warrant, and the officer to whom the same is directed shall have the same power and authority in executing the same that he would have in executing a search warrant, and on finding said uniform or uniforms or equipments, the said justice of the peace shall order the delivery of the same to the officer making the complaint.

24. Jury Trial.—If the person so complained against shall, at any time before the day of hearing, demand a trial by jury, it shall be the duty of said court to issue a venire facias to the sheriff of the county to summon a jury of twelve men competent as jurymen, according to law, to be and appear before said court at such time as shall be expressed in such writ, to make a jury for the trial of the complaint; if the verdict of the jury shall be against the party complained against, and if he shall fail within a reasonable time, to be fixed by the court, to deliver the property and pay the costs as aforesaid, he shall be deemed in contempt, and proceeded against as prescribed in the preceding section.

Trial may  
be by jury.

25. Proceedings, by Whom Conducted.—The proceedings shall be conducted by the prosecutor of the pleas of the county where the petition is filed, and the costs shall be paid in the first instance by the sheriff of the county in which the complaint is made.

Proceedings  
conducted by  
county prose-  
cutor.

26. Department of Rifle Practice.—The department of rifle practice shall consist of one inspector general of rifle practice, with the rank of brigadier general, and such other officers as may, from time to time, be authorized by order of the Governor for duty therein.

Department of  
rifle practice.

27. Duties.—The inspector general of rifle practice shall be the chief of that department and is charged with the execution of orders for instruction in small-

Duties of in-  
spector general  
of rifle prac-  
tice.

- Report. arms practice as prescribed in orders issued by the War Department or the Governor. On or before the fifteenth day of November in each year he shall make a report to the Adjutant General, showing the result of the practice during the year ending on September thirtieth next preceding.
- Reward for marksmen. 28. Small-Arms Practice Insignia.—To encourage marksmanship, the Governor is authorized to offer annually a State decoration to officers and enlisted men who shall excel in marksmanship, and such other troop, battery, company, regimental and brigade prizes as he may, from time to time, consider expedient.
- State rifle teams. 29. State Teams.—The Governor is authorized, whenever he may deem it proper, to organize a rifle team for the members of the National Guard to compete for excellence in rifle practice, either within or outside the State, and to provide ammunition, subsistence and transportation therefor.
- Inspector general's department. 30. Inspector General's Department.—The inspector general's department shall consist of one inspector general, with the rank of lieutenant colonel, and such other officers as may, from time to time, be authorized by the Governor or be detailed from the line for duty therein.
- Duties of inspector general. 31. Duties.—The inspector general shall be the chief of that department and when ordered shall make, or cause officers of his department to make inspections and report, through the chief of that department, to the Adjutant General on the condition of the National Guard, or any part thereof.
- Observation of efficiency of men and equipment. 32. State Military Property.—The inspector general shall, when ordered to do so, exercise a comprehensive observation over all that pertains to the discipline and efficiency of officers, enlisted men and organizations of the National Guard, particularly the condition and sufficiency of supplies of all kinds, of arms and equipments, funds, records and accounts; and of all State military property wherever located.
- Annual inspection and muster. 33. Annual Inspection and Muster.—An annual inspection and muster of the organizations of the National Guard and Naval Militia may be made upon such days



in each year as ordered by the Governor, at which inspection there shall be furnished by each organization commander to the inspecting officer muster rolls, in triplicate, of the organization; said muster rolls shall be examined by the inspecting officer and by him certified; he shall also indorse on each muster roll such comments and criticisms as he may deem advisable regarding the condition of the command. The officer or officers making these inspections shall be entitled to the transportation and allowances and receive the rate of pay of their rank as is provided for officers of similar rank in the United States Army for the number of days actually on duty while making said inspection.

34. Investigations.—Officers of the inspector general's department shall conduct inquiries and investigations regarding any matters in connection with the National Guard personnel or property, from time to time, when ordered by the Governor to do so, and shall make report as to the results thereof. In the conduct of such inquiries and investigations officers of the inspector general's department are authorized to administer oaths and take testimony on subjects pertaining to the matter being investigated.

Investigations.

35. Judge Advocate General's Department.—The judge advocate general's department shall consist of one judge advocate general, with the rank of lieutenant colonel, and such other officers as may, from time to time, be authorized by the Governor for duty therein. The judge advocate general's department is the bureau of military justice of the National Guard.

Judge advocate general's department.

36. Duties.—The judge advocate general shall be the chief of that department, and is charged with the supervision, care and management of all things relating to the administration of law and justice in the National Guard. When ordered to do so the officers of that department shall act as judge advocates at courts-martial; render opinions upon legal questions when called upon to do so by authority of the Governor; review and make reports upon the proceedings of trials, of courts-martial of officers and enlisted men of the National Guard; report upon applications for pardon

Duties of judge advocate general.

or mitigation of sentence; prepare and review charges and specifications prior to trial, and instruct judge advocates in regard to the conduct of prosecutions; advise and report as to the framing of bills, forms of procedure; prepare opinions upon questions relating to the appointment, promotion, rank, pay and allowance of officers and enlisted men; as to their amenability to military jurisdiction and discipline; upon the civil rights, liabilities and relations of military persons and the exercises of the civil jurisdiction over them; upon the employment of the National Guard in the execution of the laws; upon the discharge of minors, deserters and on habeas corpus; upon the administration of military commands, care and government of military reservations, and the extent of the United States and the State jurisdictions over such reservations or other lands of the United States or the State; and upon the proper construction of appropriation acts and other statutes.

Medical  
department.

37. Medical Department.—The medical department shall consist of one surgeon general, with the rank of lieutenant colonel; a medical corps; a dental corps; a veterinary corps; an enlisted force and such other personnel as may, from time to time, be authorized by the Governor of the State for duty therein. The personnel of the medical department shall be assigned by order of the Governor to such duties as the interests of the service may demand.

Duties of  
medical de-  
partment.

38. Duties.—The medical department, under the direction of the Governor, is charged with the duty of performing all acts necessary in the administration of that department, including the hospital service; camp and field sanitary service; care of the sick and wounded, and all other matters pertaining to the maintenance of the highest state of health efficiency of the National Guard. The surgeon general is charged with the observation and general supervision of all matters pertaining to the personnel and the duties of the dental and veterinary corps; he shall submit recommendations, from time to time, concerning the appointments and promotions of officers in the medical department and for

their assignment to stations and duties; exercise supervision over all matters pertaining to the discipline, instruction and training of all organizations and units within the department; and submit to the Adjutant General annually a report, covering the operations and history of the medical department for the year, not later than November fifteenth, for the year ending October thirty-first next preceding.

Annual report.

39. Ordnance Department.—The ordnance department shall consist of one chief of ordnance, with the rank of major, and such other officers and enlisted men as may, from time to time, be authorized by the Governor for duty therein.

Ordnance department.

40. Staff Officers.—Staff officers, including officers of the pay, inspection, subsistence and medical departments hereafter appointed shall have had previous military experience and shall hold their positions until they shall have reached the age of sixty-four years, unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose, and that vacancies among said officers shall be filled by appointment of officers of the National Guard.

Staff of officers.

41. Chaplains.—The Governor is authorized to appoint chaplains in the National Guard at the rate not to exceed one for each regiment of infantry or other organization numerically equivalent thereto. No person shall be appointed as chaplain until he has furnished proof that he is a regularly ordained minister of some religious denomination, in good standing at the time of his appointment, together with the recommendation for such appointment from some authorized ecclesiastical body, or from not less than five accredited ministers of such denomination. No person shall be appointed a chaplain who shall have passed the age of forty or until he shall have established his fitness as required by existing law. Chaplains shall have the rank of captain, and shall have the same status as other officers of the National Guard as to tenure of office and retirement. The Governor may, from time to time, select from among the chaplains of the National Guard,

Chaplains.

Eligibility.

Rank.

any chaplains having not less than ten years' service in the grade of captain, who shall have been commended as worthy of special distinction for exceptional efficiency by the regimental commanders with whose commands they have been serving as chaplains, and may promote such chaplains with the grade, pay and allowances of major; every such promotion being made with a view to active service until the statutory age for the compulsory relinquishment thereof, except in cases of physical disability incurred in the line of duty; *provided*, that all persons who may hereafter be appointed as chaplains shall have the grade, pay and allowances of first lieutenant, mounted, until they shall have completed seven years of service, and thereafter they shall have the grade, pay and allowances of captain, mounted. Chaplains may be assigned to such stations as the Governor shall direct, and they may be transferred, as chaplains, from one regiment to another by the Governor, without further commission.

Proviso.

Officers' qualifications.

42. Qualifications for National Guard Officers.—On and after the passage of this act no person shall be commissioned as an officer of the National Guard unless he shall have been selected from the following classes and shall have taken and subscribed to the oath of office prescribed in section forty-four of this act: Officers or enlisted men of the National Guard, active; officers on the reserve list of the National Guard; officers active or retired and former officers of the United States Army, Navy and Marine Corps; graduates of the United States military and naval academies and graduates of schools, colleges and universities where military science is taught under the supervision of an officer of the Regular Army of the United States, and, for technical branches and staff corps or departments, such other civilians as may be especially qualified for duty therein.

Exceptions to act.

The provisions of this act shall not apply to any person hereafter commissioned an officer of the National Guard unless he first shall have successfully passed such tests as to his physical, moral and professional fitness as may, from time to time, be prescribed in orders. The examination to determine such qualification for

commission shall be conducted by a board of three commissioned officers appointed by the Secretary of War from the Regular Army or the National Guard, or both.

At any time the moral character, capacity and general fitness for the service of any National Guard officer may be determined by an efficiency board appointed by the Governor, consisting of three commissioned officers, senior in rank to the officer whose fitness for service shall be under investigation. If the findings of such board be unfavorable to such officer and be approved by the Governor, he shall be retired or discharged. Commissions of officers of the National Guard shall be vacated upon resignation, absence from the State without leave for more than two months or pursuant to the sentence of a court-martial. Officers rendered surplus by the reduction or disbandment of any department or organization shall be placed in the National Guard Reserve; officers may, upon their own application, after three years' commissioned service, be placed in said reserve.

Fitness determinable at any time.

Vacating commissions.

43. Organization of National Guard Units.—Except as otherwise specifically provided the organization of the militia, including the National Guard, and the composition of all units thereof, shall consist of such departments, corps, brigades, regiments, battalions, squadrons, companies or other units as the Governor may, from time to time, authorize to be formed, all to be organized in accordance with the laws governing the Regular Army of the United States and the regulations issued by the Secretary of War, and the Governor may prescribe the particular unit or units as to the branch or arm of service to be maintained.

Units of organization.

44. Commissioned Officers.—Appointments, Elections, Examinations, Resignations, Retirements:

Officers:

Appointments: The appointment of all department and administrative staff officers shall be made by the Governor, upon the recommendation of the chiefs of the respective departments. The appointment of the authorized staff officers of brigades, regiments, battalions, squadrons and naval militia shall be made by the commanding officers of the respective organizations.

Appointment;

## Elections;

Elections: All elections shall be by ballot, and a majority of all the votes cast shall be necessary to a choice. Notice of the time and place of election shall either be served personally or deposited in a United States post office, addressed to the persons entitled to vote, at their last known place of abode, with postage thereon paid, at least five days in advance of said election. No person otherwise qualified to vote shall be permitted to cast a ballot at any election provided to be held by this act unless such person shall have, during the twelve months immediately preceding the date of such election, performed at least sixty per centum of the duty required of him.

## Vacancies;

Whenever there is a vacancy in the office of brigadier general, field or line officer of infantry, cavalry, field artillery, signal corps or naval militia, notice shall be given of an election to fill such vacancies as follows: For brigadier general, by the Governor; for field officers of an organization attached to a brigade, by the brigade commander; for line officers (captain or lieutenant) of infantry or cavalry, by the regimental or squadron commander; for officers of the naval militia, except commander, by the battalion commander; in all other cases, by the Governor. The officer designated to hold an election shall certify the results to the Adjutant General.

## Examinations;

Examinations: No person hereafter commissioned as an officer of the National Guard shall be recognized as such under any of the provisions of this act unless he shall have successfully passed the tests prescribed in regulations ordered by the Governor as to his physical, moral and professional fitness, and shall have taken and subscribed to the following oath of office: "I, . . . . . ,

## Oath;

do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of New Jersey, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey, that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the

office of . . . . . in the National Guard of the United States and of the State of New Jersey upon which I am about to enter, so help me God."

No commission shall be delivered to the person elected or appointed until he shall be uniformed and equipped according to the regulations prescribed for the National Guard. Should any person so elected or appointed neglect or refuse so to uniform and equip for one month from the time of his election or appointment, the commission shall be returned to the Adjutant General, with the cause of its return indorsed upon it and the election or appointment shall thereupon be void.

Commission  
not delivered  
until officer  
equipped;

Resignations: Any officer desiring to resign his commission may do so by making formal statement and tender thereof in writing, to the Adjutant General, through proper channels, and upon acceptance thereof his service in the National Guard shall terminate.

Resignations;

Retirements: The Governor may, upon the application in writing of any citizen of this State who is a member of the National Guard and who shall have faithfully served as a commissioned officer therein for a period of more than ten years, or who shall be incapacitated by reason of military duty, place him upon the retired list; any officer on the retired list is subject to military law and regulations, and may be detailed for duty by the Governor, in time of war; in time of peace he may be so detailed only on his own request.

Retirements;

Brevets: The Governor, by and with the advice and consent of the Senate, may confer upon any citizen who may have served more than twenty years as a commissioned officer in the National Guard, brevet rank of not more than one grade higher than the highest rank held by him during his term of service.

Brevets.

45. Seniority and Rank.—All officers hereafter appointed shall be commissioned in the arm of the service in which appointed or elected, and shall take rank from date thereof, except that an officer commissioned to another office of the same grade, or of a lower grade, shall take rank from the date of his original commission in the grade in which appointed or elected; *provided*, that

Seniority and  
rank.

Proviso.

Precedence determined;	his service shall have been continuous from the date of such original commission. When the commission of two or more officers of the same grade bear equal date, or when periods of service are equal, precedence will, except when fixed by merit on examination, be determined.
By rank;	(a) By rank, in the service under prior commission when appointed or elected, and in the case of enlisted men commissioned, by length of prior service.
By former rank and service.	(b) By former rank and service in the army, navy, marine corps, volunteer forces of this or any other State.
Assignments.	Assignments to Regiments, Transfers and Details to the Staff.—Officers may be transferred from the line to the staff of any brigade, regiment, battalion or squadron, or from the staff of any of these organizations to the line if elected, without prejudice to their rank.
Warranted officers.	46. Noncommissioned, Warrant and Petty Officers.—All noncommissioned, warrant and petty officers shall receive warrants as prescribed in regulations issued, from time to time, by the Governor. No enlisted man shall be warranted as noncommissioned, warrant or petty officer unless he shall have passed a satisfactory examination before a board of examiners appointed by the officer authorized to issue such warrant.
Period of enlistment.	47. Enlisted Men.—Enlistments, Transfers, Discharged, Furlough to Reserve: Hereafter the period of enlistment in the National Guard shall be for six years, the first three of which shall be in an active organization, and the remaining three in the National Guard Reserve; the qualifications for enlistment shall be the same as those prescribed for admission to the regular army, and all persons enlisting for service shall sign the following oath and contract of enlistment:
Oath.	"I do hereby acknowledge to have voluntary enlisted this.....day of....., 19...., as a soldier in the National Guard of the United States and of the State of New Jersey, for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of New Jersey, and that I will



serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey, and of the officers appointed over me according to law and the rules and articles of war."

Fraudulent enlistment: The receipt of any pay or allowance under a fraudulent enlistment are hereby declared a military offense and punishable by court-martial under section fifty-five of this act.

Fraudulent  
enlistment.

Transfers of enlisted men: Transfers of enlisted men will be made for cogent reasons only, and will be effective as follows: From one regiment to another within a brigade, by the brigade commander; within a regiment of infantry, squadron of cavalry, battalion of field artillery, by the commanding officer; in all other cases, by order of the Governor.

Transfer of  
men.

Discharge: Enlisted men will not be discharged before the expiration of period of enlistment, except:

Causes of  
discharge.

(a) By order of the President or Secretary of War.

(b) By sentence of a general court-martial.

(c) By direction of the Governor on account of disability; on account of sentence of imprisonment by a civil court; whether suspended or not; on account of bona fide change of residence to another State, and for the purpose of enlisting in the regular army, navy or marine corps.

(d) In compliance with an order of one of the United States Courts, or a justice or judge thereof, on a writ of habeas corpus.

An enlisted man shall receive a discharge certificate in writing in such form and with such classification as shall be prescribed by the Governor.

Discharge  
certificate.

Furlough to reserve: Enlisted men shall be furloughed to the reserve prior to and upon expiration of the period of active service, under such regulations as the Governor may prescribe from time to time.

Furlough to  
reserve.

48. The National Guard Reserve.—Subject to such rules and regulations as the Governor may prescribe, a National Guard Reserve shall be organized, and shall

Reserve force.

Proviso. consist of such organizations, officers and enlisted men as the Governor may prescribe; members thereof may be assigned as reserves to an active organization of the National Guard; *provided*, that members of said reserve, when engaged in training with the active National Guard shall receive the same pay and allowances as officers and enlisted men of like grade on the active list of said Guard when likewise engaged.

Reserve battalions.

49. Reserve Battalions for Recruit Training.—When members of the National Guard and the National Guard Reserve shall have been brought into the service of the United States in time of war, there shall be immediately organized, either from such reserve or from the unorganized militia, one reserve battalion for each regiment of infantry, one reserve troop for each squadron of cavalry, and one reserve battery for each battalion of field artillery mustered into the service of the United States, and such reserve battalion shall constitute the fourth battalion of any such regiment, and the reserve troop or battery shall constitute the reserve of each squadron of cavalry or battalion of field artillery.

When organization of reserve battalions.

Draft to maintain sufficient number.

When the members of three or more regiments of the National Guard shall have been mustered into the service of the United States, the reserve battalions of such regiments may be organized into provisional regiments and higher units. If, for any reason, there shall not be enough voluntary enlistments to keep the reserve battalions to their prescribed strength, a sufficient number of the unorganized militia shall be drafted into the service of the United States to maintain each of such battalions, troops or batteries at their proper strength. As vacancies occur from death or any other causes in any such organization in the service of the United States and composed of men taken from the National Guard, men shall be transferred from the reserve battalions, troops or batteries to the organizations in the field so that such organizations may be maintained at war strength. Officers for the reserve battalions provided for herein shall be drafted from the National Guard Reserve. Officers and enlisted men returned to their home stations because of their inability to perform active field service may be as-

Vacancies.

Officers for reserves.

Reserve duty.

signed to reserve battalions for duty, and all soldiers invalided home shall be assigned to and carried on the rolls of reserve battalions until returned to duty or until discharged.

50. Disbandment.—When any organization of the National Guard shall fall below the standard of numbers required by law, order or regulations, or shall be found guilty of mutinous conduct, or is detrimental to the service, the Governor may, with the concurrence of the Secretary of War, cause such organization to be disbanded and the officers and enlisted men thereof to be transferred to other commands, or furloughed to the Reserve. Disbandment.

51. Pay and Allowances.—For services at joint and State camps of instruction, practice marches, joint and State maneuvers, rifle camps of instruction, national, interstate and State competitions, camps of instruction for officers and noncommissioned officers, inspections and other duty of special nature, and in State service when pay is authorized by the Governor, there shall be paid to officers and enlisted men, in addition to an allowance for rations in money or in kind to enlisted men, the following sums per day for each day actually on duty: Non-commissioned staff officers, first sergeants, sergeants first class, two dollars; sergeants, supply sergeants, mess sergeants, cooks, corporals and mechanics, one dollar and seventy-five cents; company musicians, privates, first class and privates, one dollar and fifty cents; regimental band musicians, four dollars; commissioned officers, the same rates as allowed for corresponding grades in the Regular Army, and to all commissioned officers and enlisted men required to be mounted, three dollars per day for each horse actually used by them when horses are not provided by the quartermaster corps. Pay and allowances.

52. Clothing Allowance.—Commissioned officers of the National Guard, Naval Militia, and warrant officers of the Naval Militia shall provide themselves with the arms, uniforms and equipment prescribed by the uniform regulations of this State, and there shall be allowed annually for expenditures for such uniforms and equipments a sum not exceeding twenty dollars for such officers and warrant officers; said allowance to be paid on Allowance for clothing.

vouchers of expenditures for such uniforms and equipments, duly verified by affidavit.

State military board.

53. State Military Board.—There shall be a board of officers to be known as the State Military Board, to consist of the Adjutant General, Quartermaster General, the brigade commander, the commanding officers of the several regiments and the senior officer of the Naval Militia. The State Military Board shall be the armory board, with general supervisory charge of armories, and shall make recommendations to the Governor from time to time for the control and use thereof.

Duties.

Pay and expenses.

Officers composing the State Military Board and such examining and other boards or commissions now or hereafter appointed by the Governor, shall receive from the State their actual traveling expenses in going to and returning from the place of sitting, and be paid five dollars for each day actually employed.

Pay on court martial.

Officers composing general courts-martial and courts ordered by the Governor or brigade commander, also regimental summary and special courts shall receive from the State their actual traveling expenses in going to and returning from the place of trial or meeting, and the following sums for each day of attendance: President, five dollars; judge advocate, five dollars; each member, five dollars; each witness, fifty cents, and four witnesses on the part of the State and four on the part of the offender shall be entitled to pay. Fees for stenographic services and for subpoenas and service of them shall be the same as in civil courts.

Board of officers.

54. Boards of Officers.—There shall be a board of officers in each regiment of infantry; squadron of cavalry, battalion of field artillery and battalion of naval militia, to consist of all the commissioned officers, to be presided over by the senior officer present; it shall perform such duties as may properly come within its province, subject to the approval of the organization commander.

Courts-martial: three kinds.

55. System of Courts-Martial.—Except in organizations in the service of the United States, courts-martial in the National Guard shall be of three kinds, namely: general courts-martial, special courts-martial and sum-

mary courts-martial. They shall be constituted like and have cognizance of the same subjects and possess like powers except as to punishments, as similar courts provided for by laws and regulations governing the Army of the United States and the proceedings of courts-martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts.

How constituted and powers.

General courts-martial of the National Guard not in the service of the United States may be convened by orders of the Governor, and such courts-martial shall have the power to impose fines not exceeding two hundred dollars; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of noncommissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts.

General courts-martial.

The commanding officer of each garrison, post, camp or other place, brigade, regiment, detached battalions or other detached command may appoint special courts-martial for his command; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed advisable; special courts-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States or of this State, and such special courts-martial shall have the same powers of punishment as do general courts-martial, except that fines imposed by such courts shall not exceed one hundred dollars.

Special courts-martial.

The commanding officer of each garrison, post or other place, regiment or corps, detached battalion, company or other detachment of the National Guard may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations; and said court, when satisfied of the guilt of such soldier may impose fines not exceeding twenty-five dollars for any single offense; may sentence noncommissioned officer to re-

Summary courts-martial.

duction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such court shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States.

Sentence in lieu of fine.

Proviso.

Approval by governor.

All courts-martial of the National Guard, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed; *provided*, that such sentences of confinement shall not exceed one day for each dollar of fine authorized.

No sentence of dismissal from the service or dishonorable discharge, imposed by a National Guard courts-martial, shall be executed until approved by the Governor.

Warrants, arrest, subpoenas.

Presidents of courts-martial and summary court officers shall have power to issue warrants, to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convened authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoena duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer, as provided for in actions before civil courts.

Execution of processes and sentences.

All processes and sentences of said courts shall be directed to and executed by any sheriff, constable or other ministerial officer of any county or municipality of this State, and it shall be the duty of any such sheriff or his duly appointed deputy, constable or other ministerial officer to execute all processes and sentences and make return thereof to the officer issuing or imposing the same.

Liability for acts done in service.

56. Relief from Civil or Criminal Liability—Security for Costs.—Members of the National Guard ordered into the active service of the State by proper authority, shall not be liable, civilly or criminally, for any act or acts done, pursuant to law, while engaged in the performance of their official duties. When a suit or proceeding shall be commenced in any court by any person

against any officer or enlisted man of the National Guard for any act done by such officer in his official capacity in the discharge of any duty under this act, or against any person acting under the authority of any such officer, or by virtue of any warrant issued by him pursuant to law, the defendant may require the person prosecuting or instituting the suit or proceedings to file security for the payment of the costs that may be awarded to the defendant therein, and the defendant, in all cases, may make a general denial and give the special matter in evidence. In case the plaintiff shall be nonsuited, or have a verdict or judgment rendered against him, the defendant shall recover treble costs.

57. Right of Way—Freedom from Interference.—The commanding officer of any organization of the National Guard parading or performing any military duty in any street or highway may require any or all persons in such street or highway to yield the right of way to such troops, provided the carriage of the United States mail, the legitimate function of the police, and the progress and operations of hospital ambulances, fire engines and apparatus, and auxiliary patrols shall not be interfered with thereby; all others who shall hinder, delay or obstruct any portion of the National Guard, wherever parading or performing any military duty, or shall attempt to do so, shall be guilty of a misdemeanor.

Right of way  
of military.

58. Bureau of Enrollment and Drafting.—The bureau of enrollment and drafting shall form a part of the Adjutant General's department and shall be under the immediate supervision of the Adjutant General and such other officers as may from time to time be authorized by the Governor for that duty.

Enrolling and  
drafting.

Whenever it shall be necessary to call out any portion of the National Guard Reserve, or the unorganized militia for active duty authorized in section four of this act, the Governor shall issue a proclamation, calling for volunteers. Should the number of volunteers fail to equal the number called for in the proclamation, the Governor shall issue an order directing the Adjutant General forthwith to proceed to draft by lot as many

Volunteers  
called by  
proclamation.

Draft may be  
enforced.

of the unorganized militia as are required to fill the quota called for in the proclamation.

Exemptions  
when enroll-  
ment ordered.

**Notice of Enrollment—Exemption Claims.**—Whenever an enrollment shall have been ordered under this act, commanding officers of existing organizations of the National Guard and the chiefs of police and fire departments shall make and deliver to the enrolling officer of the county in which said organizations and departments are stationed, certified lists, in triplicate, of their respective commands and departments, and the enrolling officer shall mark "exempt" opposite the names of all persons so listed, attaching one copy of each such list to each copy of the enrollment. All persons claiming exemption must, within fifteen days after receiving such notice, apply to the judge of the Court of Common Pleas for the county to hear and determine their claims for exemption. The county clerk shall mark upon the enrollment the word "exempt" opposite the name of such applicants as the court shall determine to be exempt under the law, and such clerk shall forthwith transmit a copy of such corrected roll to the Adjutant General.

Hearing by  
court.

Information  
for enrollment  
must be fur-  
nished.

**Examination of Assessment Roll and Poll Lists.**—All assessors, county clerks, election officers and other clerks or officers shall allow enrolling officers to examine and copy their tax and assessment rolls, jury lists, or poll lists, and all tavern keepers and hotel keepers, keepers of boarding houses, persons having boarders and lodgers in their families, and any master or mistress of any dwelling house, shall, upon application of any officer authorized to make such an enrollment, give information of the names of all persons residing or lodging in such house liable to be enrolled, and all such other proper information concerning such persons as such officer may demand. If any person, of whom information is required by the enrolling or drafting officer in order to enable such officer to comply with the provisions of this act, shall refuse to give such information, or shall give false information, or if any person shall refuse to give his own name or proper information in respect to himself, or shall otherwise

Refusing or  
obstructing  
officer punish-  
able.



obstruct or delay by force or otherwise, or harm any such officer in the performance of his duty, such person shall be deemed guilty of obstruction of legal process and be subject to like punishment or penalty as is prescribed for like offense in obstructing or opposing any sheriff, constable, other ministerial officer or judicial process.

**Punishment for Failure to Appear.**—Any person drafted under the provisions of this act, who does not appear at the time and place designated, by the officer in charge or his duly authorized representative, within twenty-four hours of such time, or who does not produce a sworn certificate from a physician, of physical disability, shall be taken to be a deserter, and shall be subject to trial by court-martial and on conviction shall be punished as a court-martial may direct.

Failure to appear deemed desertion.

**59. Exemptions—From Civil Process.**—No person belonging to the National Guard of the State shall be arrested on any civil process while going to, remaining at or returning from any place at which he may be required to attend for military duty.

Exemption from civil process.

**60. From Jury Duty.**—Every member of the National Guard shall be exempt from all jury duty; *provided*, he shall furnish certificate of his immediate commanding officer that he has performed the duties required of him for the year immediately preceding a summons to act as juryman; and every such member who shall have received a full and honorable discharge shall be exempt forever from all jury duty.

Exempt from jury duty.  
Proviso.

**61. Unlawful Conversion of Military Property—Unlawful Wearing of Uniforms and Devices Indicating Rank.**—Any person who shall secrete, sell, dispose of, offer for sale, purchase, retain after demand made by a commissioned officer of the National Guard, or in any manner pawn or pledge any arms, uniforms, equipments or other military property, issued under the provisions of this act, shall be guilty of a misdemeanor, and any person who shall wear any uniform or any device, strap, knot or insignia of any design or character used as a designation of grade, rank or office, such as are by law or by general regulations duly pro-

Unlawful use of uniforms and insignia.

Penalty.

mulgated, prescribed for the use of the National Guard, except members of the Army and Navy of the United States and the National Guard of this or any other State, recognized military academies, members of associations wholly composed of soldiers honorably discharged from the service of the United States and members of the Order of Sons of Veterans, shall forfeit to the people of this State one hundred dollars for each offense, to be sued in the name of the people by a judge advocate; all moneys recovered by any action or proceeding under this section shall be paid to the Quartermaster General, who shall apply the same to the use of the organized National Guard.

Trespassers  
and disturbers  
may be ar-  
rested.

62. Trespassers and Disturbers to be Placed in Arrest—Liquors and Hucksters' Sales Prohibited.—The commanding officer upon any occasion of duty may place in arrest during the continuance thereof any person who shall trespass upon the camp ground, parade ground, armory or other place devoted to such duty, or shall in any way or manner interrupt or molest the orderly discharge of duty by those under arms, or shall disturb or prevent the passage of troops going to or returning from any duty. He may prohibit and prevent the sale of all spirituous and malt liquors or wines, the holding of huckster or auction sales, and all gambling within the limits of the post, camp ground, place of encampment, parade or drill under his command, and he may, in his discretion, abate as common nuisance all such sales.

Sale of liquors,  
goods, gamb-  
ling may be  
abated.

Naval militia.

63. Naval Militia.—The Naval Militia shall consist of the organizations that are, or may be hereafter authorized by the Governor to be formed, which shall be organized in accordance with the laws governing the Naval Militia of the United States, and regulations issued by the Secretary of the Navy for the government of the United States Navy and Naval Militia.

Officers.

The Naval Militia shall be commanded by an officer with the rank of captain, who shall be elected by the commissioned officers of the Naval Militia, in accordance with section forty-four of this act. All commissioned, warrant and petty officers shall be appointed and selected in accordance with the provisions of sections forty-four

and forty-six of this act, and will be required to pass the mental and physical tests for commission and warrant.

Whenever the Naval Militia shall perform active service duty under orders of the Governor, the officers shall receive the same pay for active duty as shall be received by officers of like rank in the United States Navy while on sea duty; warrant officers and chief petty officers shall receive two dollars per day; other petty officers, one dollar and seventy-five cents per day; and all other enlisted men, one dollar and fifty cents per day.

Pay on duty.

The administration, system of courts-martial, discipline and duties of officers and enlisted men of the Naval Militia shall be as prescribed in the regulations for the government of the United States Navy, and regulations and orders promulgated in conformity with the provisions of this act.

Regulations of U. S. Navy to govern.

Armories of the Naval Militia battalions shall be situated on or near the navigable waters of the State, in such positions as best to promote the efficiency of the service, and the word "armories," as used or applied to the laws relative to the Naval Militia, shall be held to include vessels while used only for the purpose of instruction, drill or defense.

Armories of naval militia.

64. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Repealer.

65. If any portion of this act shall be declared unconstitutional it shall not invalidate any other portion thereof.

As to constitutionality.

66. This act shall take effect immediately.

Approved March 20, 1917.

## CHAPTER 82.

An Act to further amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, as amended by an act approved March twenty-eighth, one thousand nine hundred and four.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 10  
amended.

1. Section ten of an act entitled "An act for the assessment and collection of taxes, approved April eighth, one thousand nine hundred and three, is hereby amended so as to read as follows:

Taxation of  
mortgages.

10. No mortgage or debt secured by mortgage on real property which is taxed in the State where located shall be listed for taxation; and no deduction from the assessed value of real property in this State shall be made by the assessor on account of any mortgage debt, but the mortgagor or owner of the property paying the tax on mortgaged real property located in this State shall be entitled to credit on the interest payable on the mortgage for so much of the tax as is equal to the tax rate applied to the amount due on the mortgage, except where the parties have otherwise agreed, or where the mortgage is an investment of funds not subject to taxation, or where the parties have lawfully agreed that no deduction shall be made from the taxable value of the lands by reason of the mortgage.

2. This act shall take effect immediately.

Approved March 20, 1917.

## CHAPTER 83.

An Act to amend an act entitled "An act concerning cemetery associations, and regulating the election of trustees," approved April third, one thousand eight hundred and seventy-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section one of the act to which this is an amendment is hereby amended to read as follows:

Section 1  
amended.

1. If at any time any cemetery company or association of this State, whether organized under any general or special act or acts of this State, is discovered to be without trustees lawfully elected to manage its affairs, or if any cemetery association of this State has omitted and failed to hold an election for trustees or to elect trustees, on the day designated and appointed in and by the provisions of law incorporating such cemetery company, it shall be lawful for every such cemetery association to proceed to hold an election for trustees of such association, one or more of the persons owning lots in the cemetery of such association, or one or more of the persons last elected trustees of such association, first giving at least ten days' notice of the time and place of holding such election, which notice shall be published in one or more newspapers circulating in the county in which such cemetery is located, which election shall be by ballot, and shall be held at the principal office or place of business of the said company in this State, at which election every person of full age, owning a lot in said cemetery, and in case of a joint or several ownership in any lot, then such one of the parties in interest, as the majority of ownership in such lot shall designate to represent such lot, may, either in person or by proxy in writing, give one vote for each lot so owned; *provided*, no person shall give, as owner, or by proxy, more than one hun-

Election of  
trustees of  
cemetery,  
when none.

By whom  
notice of elec-  
tion given.

Who may vote.

Proviso.

dred votes at such election for trustees, and the persons receiving the largest number of the votes given at such election shall be and remain the lawful trustees of such company until their successors are lawfully appointed, and said trustees shall be chosen from the lot owners, and shall not exceed the number of trustees provided by law for such company.

2. This act shall take effect immediately.

Approved March 21, 1917.

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## CHAPTER 84.

An Act extending the corporate existence of companies organized under an act entitled "An act to authorize the formation of companies for mutual protection against damage to glass by hail," approved March twenty-ninth, one thousand eight hundred and eighty-seven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Extending corporate existence.

1. Every company organized under the act entitled "An act to authorize the formation of companies for mutual protection against damage to glass by hail," approved March twenty-ninth, one thousand eight hundred and eighty-seven, may extend its corporate existence for a further period not exceeding thirty years in the following manner:

Procedure to effect extension.

The board of directors shall pass a resolution declaring that such extension is advisable and call a meeting of the stockholders to take action thereon. The meeting shall be held upon such notices as the by-laws provide, or upon ten days' notice given personally or by mail. If two-thirds of the members present at such meeting shall vote in favor of such extension, a certificate thereof shall be signed by the president and secretary under

the corporate seal of the company, acknowledged or proved as in case of deeds of real estate, and such certificate shall be recorded in the clerk's office of the county where the original certificate of incorporation is recorded and filed in the office of the Commissioner of Banking and Insurance, and upon the recording and filing of the same the corporate existence of said company shall be so extended.

2. This act shall take effect immediately.

Approved March 22, 1917.

## CHAPTER 85.

An Act to amend an act entitled "An act to encourage the propagation of certain kinds of game within the State of New Jersey and providing a license therefor," approved March, twenty-seventh, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act of which this act is amendatory be and is hereby amended so as to read as follows:

Section 1  
amended.

1. Any person desiring to engage in the business of raising and selling domesticated English ring-necked, Mongolian pheasants, mallard, black and wood ducks and deer, or any of them in a wholly enclosed preserve of which he is the owner or lessee, may make application in writing to the Board of Fish and Game Commissioners for a license so to do. The Board of Fish and Game Commissioners, when it shall appear that such application is made in good faith, shall, upon the payment of a fee of five dollars, issue to such applicant a breeder's license, permitting such applicant to breed and raise domesticated English ring-necked, Mongolian pheasants, mallard, black and wood ducks and

License to  
operate game  
farm.

License fee.

Nature of  
breeder's per-  
mit.

deer or any of them in confinement in such wholly enclosed preserve the location of which shall be stated in such license, and to sell the same and ship from the State alive at any time for breeding or stocking purposes, and to kill the same and sell the carcasses for food as hereinafter prescribed, and said license shall expire December thirty-first of each year; *provided, however,* that no licensee shall ship any of the said birds or deer from this State alive until after he or she has first offered said birds or deer to the Board of Fish and Game Commissioners of this State at a reasonable price, which price shall not exceed the price at which such licensee shall offer for sale such birds or deer in any place outside the State. No deer shall be shipped alive out of this State before such licensee shall have paid to said board an additional fee of five dollars for each deer shipped alive out of this State. Any person to whom such a license shall have been issued as aforesaid may kill by shooting or in any other manner any such birds or deer, bred or raised in such preserve at any time, and sell the same for food, but no person shall hunt with a gun or firearm on Sunday, or hunt for deer with a dog or dogs in any game preserve or enclosure licensed under the provisions of this act; *provided,* that such birds or deer have not been previously released from confinement in such preserve, but no such birds or deer shall be sold for food unless each bird or deer shall have been tagged with a suitable tag or seal which shall be supplied by the Board of Fish and Game Commissioners. Pheasants, mallard, black and wood ducks and deer so killed and tagged may be possessed, sold or offered for sale at any time.

Common carriers shall receive and transport pheasants, mallard, black and wood ducks, and deer tagged as aforesaid, but to every package containing any such birds or deer shall be affixed a tag or label upon which shall be plainly printed or written the name of the person to whom such license was issued and by whom such birds or deer were killed, the name or names of the person or persons to whom such birds or deer are to be

Proviso.

Shipping live deer.

Sale of game as food.

Proviso.

When sold.

Conditions observed in transportation.



transported, the number of each kind contained therein, and that the same were killed and tagged in accordance with the provisions of this section.

2. This act shall take effect immediately.

Approved March 22, 1917.

## CHAPTER 86.

An Act to amend an act entitled "An act relating to the care and maintenance of streets and highways in cities of the first class in this State," approved April twelfth, one thousand nine hundred and twelve.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Amend section one of the act to which this is an amendment so that it shall read as follows:

Section 1  
amended.

1. The board or body having charge of the streets and highways in any city of the first class may prepare a statement or estimate, not later than April first of each year, of the amount of money which in its judgment is necessary for such fiscal year for street cleaning, street repairs, maintenance of city stables and such other expenses incident to the care of streets and highways. Such statement or estimate shall, not later than April tenth of each year, be transmitted to the board or body having charge of the finances in any such city of the first class, which board or body shall include in the tax budget for such fiscal year the amount of such estimate and shall place the said amount at the disposal of the board or body having charge of the streets and highways; *provided, however*, that the amount so raised and included in the tax budget shall not exceed the propor-

Estimate for  
street cleaning  
and repairs.

Amount in-  
cluded in tax  
budget.

Proviso.

tion of one and one-quarter mills on every dollar of the ratables of the preceding year.

2. This act shall take effect immediately.

Approved March 22, 1917.

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## CHAPTER 87.

An Act to provide for a survey and plans for the deepening of the Metedeconk river, in Ocean county, from Lakewood to the mouth thereof, and to the Inland Waterways channel in Barnegat bay near Bay Head, and providing for an appropriation for the cost thereof.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Survey and  
plans for  
deepening  
Metedeconk  
river.

1. That the Board of Commerce and Navigation be and they are hereby authorized and empowered to make, or cause to be made, a survey and plans for the deepening of the Metedeconk river and the outlet of an approach thereto, from the channel of the Inland Waterways in Barnegat bay, near Bay Head, in Ocean county, to or near the railroad bridge at Lakewood, in said county, providing for a depth of water of six feet at mean low tide and an average width of channel at such depth of one hundred feet, and to make, or cause to be made, an estimate and calculation of the cost of such improvement.

Depth and  
width.

Appropriation.

2. That the said Board of Commerce and Navigation be authorized to expend for such survey and plans and for the purpose of this act a sum not to exceed the sum of two thousand (\$2,000), the same to become available when included in any annual or supplemental appropriation bill.

3. This act shall take effect immediately.

Approved March 22d, 1917.

## CHAPTER 88.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. When in any county a survey has been made setting forth facts and conditions regarding juvenile delinquency and deficiency among children of school age, the results of which shall, in the opinion of the Commissioner of Education, warrant the establishment of a department of child study, there may be appointed by the Commissioner of Education, with the approval of the State Board of Education, a supervisor of such department, who shall work under the authority of the county superintendent. The term of office of such supervisor shall be for one year, and he or she shall receive an annual salary of not more than fifteen hundred dollars.

Supervisor of  
child study.

Term and salary.

2. The county superintendent of the county in which a supervisor has been appointed, as provided herein, shall, before making his apportionment of school moneys, deduct from the amount of railroad tax appropriated to his county the sum of fifteen hundred dollars for the salary of such supervisor, and the further sum of three hundred and fifty dollars for traveling expenses, which sums shall remain in the hands of the county collector and shall be available only for the payment of the salary of such supervisor and the expenses incurred by said supervisor in the performance of his official duties. If at the time of making the then next apportionment of school moneys any balance of said moneys heretofore appropriated shall remain in the hands of the county collector, said county collector shall

Provision for  
salary and  
expenses.

Balance to be  
included in  
next apportion-  
ment.

Payments.

certify to the county superintendent of schools the amount of said balance, and the county superintendent shall thereupon include said amount in the amount to be apportioned among the schools of his county in the then next apportionment. The salary of such supervisor shall be paid in ten equal monthly installments on orders issued by the county superintendent drawn on the county collector and paid out of the money apportioned to him for that purpose. All claims for expenses of said supervisor shall be paid after being audited by the county superintendent on orders issued by said county superintendent and drawn on the county collector; *provided*, such expenses shall not exceed in any one year the sum of three hundred and fifty dollars.

Proviso.

3. This act shall take effect immediately.

Approved March 22, 1917.

## CHAPTER 89.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Court attendance officer.

I. Whenever in any county of this State there has been appointed and maintained a county attendance officer for a period of three years, or whenever there shall hereafter be appointed and maintained a county attendance officer for a like period of three years, the commissioner of education shall appoint, upon the request of the county superintendent of schools and with the advice and consent of the State Board of Education, a suitable person to be known as county attendance

officer for said county who shall perform such duties as may be prescribed by rules and regulations adopted by the State Board of Education. Said county attendance officer shall have the same power to enforce the compulsory school law and all rules and regulations connected therewith as is conferred upon attendance officers now appointed by local boards of education. The term of office of such county attendance officer shall be for one year and he shall receive an annual salary of not more than twelve hundred dollars.

Duties.

Term and salary.

2. The county superintendent of the county in which a county attendance officer has been appointed as provided herein shall, before making his apportionment of school moneys, deduct from the amount of railroad tax appropriated to his county the sum of twelve hundred dollars for the salary of such county attendance officer and the further sum of three hundred and fifty dollars for traveling expenses, which sums shall remain in the hands of the county collector and shall be available only for the payment of the salary of such attendance officer and the expenses incurred by him in the performance of his official duties. If at the time of making the then next apportionment of school moneys any balance of said moneys heretofore appropriated shall remain in the hands of the county collector, said county collector shall certify to the county superintendent of schools the amount of said balance and the county superintendent shall thereupon include said amount in the amount to be apportioned among the schools of his county in the then next apportionment. The salary of such attendance officer shall be paid in ten equal monthly installments on orders issued by the county superintendent drawn on the county collector and paid out of the money apportioned to him for that purpose. All claims for expenses of said county attendance officer shall be paid after being audited by the county superintendent on orders issued by said county superintendent and drawn on the county collector, provided such expenses shall

Provision for salary and expenses.

Balance to be included in next apportionment.

Payments.

Proviso.

not exceed in any one year the sum of three hundred and fifty dollars.

3. This act shall take effect immediately.

Approved March 22, 1917.

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### CHAPTER 90.

An act to change the name of the township of Fanwood, in the county of Union, to "The Township of Scotch Plains, in the county of Union."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Change of  
name.

1. The name of the township of Fanwood, in the county of Union, is hereby changed to "The Township of Scotch Plains, in the county of Union."

When act  
effective.

2. This act shall take effect on the filing with the clerk of the county of Union of a copy hereof, certified under the hand and seal of the Secretary of State.

Approved March 22, 1917.

## CHAPTER 91.

An Act to amend an act entitled "An act concerning boards of street and water commissioners in cities of the first class in this State, and providing for pensions for such employees as may contribute towards the creation of a fund for providing such pensions," approved April fourteenth, one thousand nine hundred and fifteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

I. Section eight, paragraph IV, of the act to which this act is an amendment, is hereby amended to read as follows:

IV. The board of trustees of any pension corporation or association created under this act may assess and collect from each and every member of the association or employee of such board of street and water commissioners who shall take advantage of this act as herein provided a sum not exceeding two per centum of his annual salary, which said sum shall be paid by each member monthly to the treasurer of such pension corporation or association, and such assessment and collection shall be made in manner and form as may be provided in the by-laws of the pension association, and whenever any such member of the pension association shall die, leave or be discharged from the employ of any such board of street and water commissioners, having served therein for a less term than twenty-five years, all payments made by such employee to such pension fund shall be forfeited by him, and shall be added to and become part of such pension fund; *provided, however,* that if any employee of such board of street and water commissioners, member of the pension association formed in accordance with this act, shall be sus-

Section 8  
amended.

Assessment on  
members.

Amount.

Monthly  
payments.

Forfeited  
amounts.  
Proviso.

Refunding  
amount  
paid in

pended, dropped or discharged from such employment after having paid into such pension fund for a period of over one year, and whose suspension or discharge shall continue for a period longer than two years, he shall be entitled to receive from such pension fund the amount of money which such employee shall have paid into the pension fund, but such person shall not thereafter be eligible for a pension under this act unless upon a re-employment by the city he shall repay to such pension fund the amount of any rebate made to him. This obligation to refund payments made to the pension association shall not apply to any employee suspended or discharged for causes which bars him from eligibility to reappointment under the civil service rules. The board of trustees is hereby empowered, in its judgment, to make it a condition of membership in the pension association hereby authorized to be formed that each member shall sign an order on the city treasurer directing the retention of the amount of the assessment levied upon members of the pension association, to be paid over directly to the association by retention from his salary, or, in the case of men on the weekly pay roll, an order on the disbursing officer to the same effect, and the city treasurer and any disbursing officer is hereby directed to make such retentions and payments as provided herein; *provided*, that such retentions from salary payments shall only become operative in the event of the same being incorporated as a part of the by-laws of any pension association formed under this act.

Proviso.

Section 10  
amended.

2. Section ten of the act to which this act is an amendment is hereby amended to read as follows:

Eligibility to  
membership.

10. Persons employed by any such board of street and water commissioners at the time of the creation of the pension corporation or association in accordance with this act shall not be eligible to take advantage of or become members of such pension association after the expiration of two years from the incorporation thereof, except by a majority vote of the board of trustees of any such pension association; *provided, however*, that any such employee so accepted for member-

Proviso.



ship by the board of trustees shall pay to the pension association two per centum of the total amount of salary received by him from the date of the formation of such pension association to the date of the application, but the period of payment, in order to fix the percentage of pension of such applicant, shall only be from the date of application; and any person coming into the employ of any such board of street and water commissioners subsequent to the formation of any such pension association shall not be eligible for membership in any such pension associations unless he shall, within two years after the date of his appointment, file application for membership in such pension association; *provided, however*, that the board of trustees may, in its discretion, by a majority vote, admit to membership any such employee after such a period of two years, upon the payment by such applicant of two per centum of the total amount of salary received by him from the date of his appointment to the time of his admission, but the period of payment, in order to fix the percentage of pension of such applicant, shall only be from the date of application; and in neither case shall such deferred application be antedated.

New employees.

Proviso.

3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealer.

4. This act shall take effect immediately.

Approved March 22, 1917.

## CHAPTER 92.

An Act to incorporate the borough of Beachwood, in the county of Ocean.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The inhabitants of that portion of the township of Berkeley, in the county of Ocean, contained within the

Portion of Berkeley township incorporated as Beachwood.

limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the borough of Beachwood, and shall be governed by the general laws of this State relating to boroughs.

2. The territorial limits of said boroughs shall be as follows:

Boundaries of  
borough.

Beginning at a stone at high-water mark on the south bank of Toms River, said stone being also the southeasterly corner of lands of the Cedar Point Land Company; thence (1) southeasterly along the high-water line of said Toms River, a distance of about one mile, to another stone, said stone being also the northwest corner of the lands of the Pine Beach Land and Improvement Company; thence (2) as the needle pointed in September, A. D. 1914, south forty-four degrees and thirty-three minutes west, eleven thousand four hundred and twenty-four and six-tenths feet to a point; thence (3) south seventy-nine degrees and sixteen minutes and thirty seconds west two thousand two hundred and eighty feet to a stone near the easterly side of the new public road leading from Toms River to Double Trouble; thence (4) north twenty-three degrees and fifteen minutes and thirty seconds west seven thousand nine hundred and twenty-three and seven-tenths feet to an old stake in the line of lands of George H. Holman; thence (5) along the line of lands of George H. Holman, north sixty degrees and twenty minutes and thirty seconds east sixteen hundred and sixty-four and seven-tenths feet to a stone, said stone being near the southerly edge of Jake's Branch swamp; thence (6) still along the lands of said George H. Holman, north twenty-two degrees and fifty-two minutes and thirty seconds west crossing Jake's Branch two thousand one hundred and thirty-four and eight-tenths feet to the center of the Dover road; thence (7) along the center line of said Dover road north sixty-nine degrees and thirty-five minutes east four hundred and ninety-nine and six-tenths feet to an angle point in said road; thence (8) still along the center line of said Dover road north seventy-five degrees and forty-five minutes east two thousand

seven hundred and seventy-two feet to a point; thence (9) south fourteen degrees and thirty-five minutes east two thousand three hundred and twenty-eight feet to a stone, a corner of lands now or formerly of Frances A. Falkinburgh; thence (10) by the line of lands of said Falkinburgh south eighty-three degrees and thirty-nine minutes east one thousand six hundred and fourteen and six-tenths feet to a stone; thence (11) north fifty-five degrees east five thousand five hundred and eighty-nine and four-tenths feet to the place of beginning.

3. This act shall take effect immediately; *provided*, Referendum.  
it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been adopted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held Special election.  
within the said territory within thirty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held within the said territory between the hours of six o'clock A. M. and six o'clock P. M. of a day and at a place within the said territory to be fixed by the clerk of the township of Berkeley, in the county of Ocean, who shall cause public notice thereof to be given by advertisement signed by himself, set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to the day so fixed for such election. Notice of election.

4. Such special election shall be held at the time and place so appointed and shall be conducted by the board of registry and election of the township of Berkeley which conducted the general election next preceding the holding of such election in said township, and shall be by ballot. The registry of voters used at the last general election in said township shall be used at said special election, and the said board of registry and election shall meet one week next preceding the day fixed for said special election at the place where the same is to be held from one o'clock P. M. to nine o'clock P. M., for the. Election; how conducted.  
Registry.

Notice of  
registry and  
election.

purpose of revising and correcting the registry lists in the manner provided under the general election laws of this State. The clerk of the township of Berkeley shall give public notice of such meeting of said board of registry and election at the time and in the manner hereinbefore provided for the giving of the notice of the time and place of holding of said special election, and shall provide a suitable place for the holding of said special election and the necessary ballots for the electors voting thereat, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions in the following form:

Ballots.

Question  
submitted.

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto make an X mark in the square to the left of and opposite the word "No."

	Yes.	Shall an act entitled "An act to incorporate the borough of Beachwood, in the county of Ocean," be adopted?
	No.	

Voting.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it shall be counted as a vote in favor of such proposition.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No," it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes," or "No," it shall not be counted as a vote for or against such proposition.

Returns filed  
with county  
and township  
clerks.

5. The officers holding said election shall, within two days after such election, make a return in duplicate of the result of such election by statements in writing and under their hands; one of which certificates or returns shall be filed forthwith with the clerk of the township of Berkeley and entered in full upon the minutes of the

township committee of the township of Berkeley, and one of which certificates or returns shall be filed forthwith with the clerk of the county of Ocean.

Approved March 22, 1917.

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## CHAPTER 93.

An Act authorizing the Board of Commerce and Navigation of this State to purchase or acquire, by gift, grant, bargain, sale, or by condemnation, for the purpose of furthering the commercial interests of this State, lands not exceeding one thousand feet in width, from Raritan bay, at Morgan, in the county of Middlesex, across the State of New Jersey to the Delaware river at Bordentown, in the county of Burlington, and providing for the donation of as much of said land as may be necessary to the Federal Government for the construction of a ship canal.

WHEREAS, By joint resolution of the Legislature of the State of New Jersey, approved April fifteenth, one thousand nine hundred and eleven, and known as Joint Resolution No. 5, it was resolved by the Senate and General Assembly of the State of New Jersey:

Preamble.

- I. That the construction of a canal across the State of New Jersey, connecting New York bay with the Delaware river at Bordentown, New Jersey, and the dredging of the Delaware river from Bordentown to deep water at or near Philadelphia, by the Federal Government, is an enterprise which is likely to result in great benefit to this State and its inhabitants, in encouraging the various industries of the State, and affording a more ready method of communication and transportation between points within this State

Proposed canal.

and other points in this country and abroad, particularly in view of the importance of this canal as a necessary link in the intracoastal system of inland waterways extending from Maine to Florida, which, when completed, will be of inestimable benefit to transportation along the entire Atlantic seaboard.

State to cede  
right of way.

2. That in order to bring about the construction of this canal and its completion within as short a time as possible, on behalf of the people of this State, it is hereby declared that when the Government of the United States shall finally settle upon the route of the said canal, and shall make provision for its construction by suitable appropriation, the State of New Jersey shall acquire the right of way for the said canal by purchase or condemnation from the owners thereof and cede the same to the Federal Government for the uses of the government in construction and maintaining the said canal, free and open to the commerce of the world, without tolls or charges for the passage of vessels or freight thereon; *provided*, the right of way can be obtained by purchase or condemnation for a sum not exceeding five hundred thousand dollars, or such sum as may be appropriated by the Legislature for that purpose at the time when such appropriation and other legislation necessary to carry into effect the purposes of this resolution shall become necessary and appropriate; and

Proviso.

Preamble.

WHEREAS, The building and operation of this canal will be of inestimable benefit and help to the Federal Government for the purpose of defense, in time of war; and

Preamble

WHEREAS, The special board of engineers composed of W. M. Black, colonel, Corps of Engineers, senior members of the board; Frederic V. Abbott, colonel, Corps of Engineers; J. C. Sanford, lieutenant colonel, Corps of Engineers; Mason M. Patrick, lieutenant colonel, Corps of Engineers, and R. R. Raymond, major, Corps of Engineers, in a report addressed to the Chief of Engineers, United States Army, dated February fourteenth, one thousand nine

hundred and twelve, states: "The board therefore, after careful reconsideration, is of the opinion that this canal, if worth building at all, should have the minimum dimensions of one hundred and twenty-five feet bottom width and twenty-five feet depth, as originally recommended.

"It is further of the opinion that such a canal is worth construction by the United States."

This indicates that the cost of constructing the canal should properly be borne by the United States Government; and

WHEREAS, The Board of Commerce and Navigation of the State of New Jersey have, upon investigation, approved of the project, and believe that the Government of the United States will settle upon the route of the said canal between the said points and will make provision for its construction by appropriation, if the State of New Jersey shall acquire such right of way; therefore,

Preamble.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Board of Commerce and Navigation of the State of New Jersey is hereby authorized to purchase or acquire by gift, grant, bargain or sale, or by condemnation, for the purpose of furthering the commercial interests of the State of New Jersey, lands not to exceed one thousand feet in width from Raritan bay, at Morgan, in the county of Middlesex, across the State of New Jersey to the Delaware river at Bordentown, in the county of Burlington, as shown on a route upon map of United States, Intra-coastal Waterway, Boston, Massachusetts, Beaufort Inlet, North Carolina, division, New York bay, Delaware river section and now on file in the office of the board, or upon any other route, if in the judgment of the board deviation of said route shall be advisable, and to provide for the donation of as much of said land as may be necessary to the Federal Government for the construction of a ship canal.

Acquisition of lands for canal.

Route.

Disposition of lands.

Donation to  
Federal  
Government.

2. The Board of Commerce and Navigation is hereby authorized, after the acquisition of the land aforesaid, to donate so much thereof to the Federal Government for the construction of a ship canal as the Federal Government shall deem necessary and advisable.

3. This act shall take effect immediately.

Approved March 22, 1917.

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## CHAPTER 94.

An Act to empower the Board of Public Utility Commissioners to require any common carrier by railroad to employ a sufficient number of men in the management of any of its trains, and to repeal an act entitled "An act to promote the safety of travelers and employees upon railroads by compelling common carriers by railroad to properly man their trains," approved April first, one thousand nine hundred and thirteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

To direct  
number of  
men to be  
employed on  
trains.

1. In addition to the powers and duties now imposed upon and vested in the Board of Public Utility Commissioners, said board shall have power, upon its own initiative or upon complaint in writing, by order in writing, after hearing on notice to the parties, to direct any common carrier by railroad in the State of New Jersey to employ such number of employees on any of its trains as said Board of Public Utility Commissioners shall deem necessary to afford safe, adequate and proper service for the protection of the public and the employees of said common carrier.

Act repealed.

2. The act entitled "An act to promote the safety of travelers and employees upon railroads by compelling



common carriers by railroad, to properly man their trains," approved April first, one thousand nine hundred and thirteen, is hereby repealed.

3. No reduction shall be made by any railroad, because of the passage of this act, in any train crew as constituted by law prior to the passage of this act, without the authorization of the Board of Public Utility Commissioners, as provided in section one of this act. Reducing train crews.

4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealer.

Approved March 22, 1917.

## CHAPTER 95.

An Act to amend an act entitled "An act to improve the condition of tenement houses in this State, and to establish a State Board of Tenement House Supervision," approved March twenty-fifth, one thousand nine hundred and four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Paragraph nine of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows: Section 9 amended.

9. A basement is a story partly, but not more than one-half below the level of the curb and for the purposes of this act shall be counted as a story, if more than five feet above the level of the curb unless otherwise specifically stated. Basement.

2. Paragraph thirty-four of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows: Section 34 amended.

34. Every non-fireproof tenement house hereafter erected three stories or more in height, unless provided with outside fireproof stairways directly accessible to Fire-escapes.

Proviso.

each apartment, shall have fire-escapes located and constructed as hereafter described; *provided, however*, that the provisions of this act relating to outside fire-escapes shall not apply to any house not more than three stories in height, which shall be provided with two independent stairways leading from the top floor of said house to the first floor thereof, to both of which stairways all of the persons occupying the top floor shall have access without entering any apartment other than the one occupied by such tenants, one of which said stairways may be an outside stairway, if such outside stairway is, in the opinion of said board, securely constructed; nor shall said provisions apply to any tenement house not more than three stories in height, in which the basement or cellar is counted as the first story, in accordance with the provisions of this act.

Section 35 amended.

3. Paragraph thirty-five of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Location of fire-escapes.

35. Every now existing non-fireproof tenement house three stories or more in height, unless provided with outside fireproof stairways, directly accessible to each apartment, shall have fire-escapes located and constructed as hereafter described; but a fire-escape now erected upon such house shall be deemed sufficient, except as provided in the next two succeeding paragraphs of this act.

Section 36 amended.

4. Paragraph thirty-six of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Separate fire-escapes.

36. In every now existing non-fireproof tenement house three stories or more in height, there shall be a fire-escape directly accessible to each apartment, exclusive of fire-escapes in air shafts and courts; *provided, however*, that the provisions of this act relating to outside fire-escapes shall not apply to any house not more than three stories in height, which shall be provided with two independent stairways leading from the top floor of said house to the first floor thereof, to both of which stairways all of the persons occupying

Proviso.

the top floor shall have access without entering any apartment other than the one occupied by such tenants, one of which said stairways may be an outside stairway, if such outside stairway is, in the opinion of said board, securely constructed; nor shall said provisions apply to any tenement house not more than three stories in height, in which the basement or cellar is counted as the first story, in accordance with the provisions of this act. A party wall fire-escape balcony on the rear of the building, connecting with the window of an adjoining building, shall be deemed sufficient fire-escape only when the two buildings are completely separated by an unpierced fire-wall throughout the entire height and length; and all wooden floor slats and floors of fire-escape balconies shall be replaced by proper iron slats or floors; and no wooden balcony or wooden outside stairs shall be deemed part of a lawful fire-escape, except as herein provided.

Fire-escape balcony.

Metal parts in place of wood.

5. Paragraph eighty-four of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 34 amended.

84. In all tenement houses hereafter erected the firebacks of all fireplaces shall be of solid masonry not less than eight inches in thickness. The roof of every tenement house hereafter erected and the top and sides of every dormer window on such tenement house shall be covered and roofed with brick, tile, slate, tin, copper or iron. Plastic slate, asphalt, slag or gravel may be used; *provided*, such roofing shall be composed of not less than five layers of roofing felt, cemented together and finished with not less than ten gallons of coal tar, pitch or asphalt to each hundred square feet of roof, or such other incombustible roofing as the board may direct. No shingle roof on any now existing tenement house located within the fire limits of any municipality shall be renewed; *provided, however*, that this provision shall not be construed to prohibit the repairing of any shingle roof on any such house, if such house is not altered in height.

Firebacks.

Roofing.

Proviso.

Proviso.

6. Paragraph ninety-six of the act of which this act

Section 96 amended.

is amendatory be and the same hereby is amended so that it shall read as follows:

Width of court.

96. In every tenement house hereafter erected exceeding three stories in height, where one side of an outer court is situated on the lot line, the width of said court, measured from the lot line to the opposite wall of the building shall not be less than three feet six inches in any part; whenever an outer court so situated exceeds thirty-six feet in depth, and does not extend from the street to the yard, the entire court shall be increased in width six inches for every additional fifteen feet in excess of thirty-six feet.

Section 97 amended.

7. Paragraph ninety-seven of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Width of court in tenements not more than three stories.

97. In every tenement house hereafter erected, not exceeding three stories in height, which is also not occupied or arranged to be occupied by more than eight families in all, or by more than two families on any floor, and in which, also, each apartment extends through from the street to the yard, the width of an outer court situated on the lot line shall be at least three feet six inches, running parallel with the wall; and where such court exceeds sixty-five feet in depth, the width of such court shall be increased one foot for every thirty feet or fraction thereof that said court exceeds sixty-five feet in depth, but where such tenement house is occupied or arranged to be occupied by more than eight families in all or by more than two families on any floor, and in which the apartments do not extend through from the street to the yard, the width of an outer court situated on the lot line shall be regulated by paragraph ninety-six of the act.

Section 116 amended.

8. Paragraph one hundred and sixteen of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Window area.

116. In every tenement house hereafter erected the total window area in a water-closet compartment or bathroom shall not be less than three square feet, and no such windows shall be less than one foot in width, measuring between stop beads; in every tenement house

hereafter erected all rooms, except water-closet compartments and bathrooms, shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area; each other room shall contain at least ninety square feet of floor area; each room shall be, in every part, not less than nine feet high from the finished floor to the finished ceiling; *provided*, that an attic room need be nine feet in but half of its area.,

Minimum size  
of rooms.

Proviso.

9. Paragraph one hundred and seventy of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 170  
amended.

170. Every now existing tenement house located on any street in which water mains are laid shall be properly connected to such water mains, and shall have at least one sink with running water within each apartment.

Water supply.

10. Paragraph one hundred and eighty-nine of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 189  
amended.

189. Every person who shall violate or assist in the violation of any provision of this act shall be subject to a penalty of one hundred dollars, if such violation be wilful or to a penalty of fifty dollars, if such violation be not wilful.

Penalty.

11. Paragraph one hundred and ninety of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 190  
amended.

190. The owner of any tenement house, or part thereof, or of any building or structure upon the same lot with a tenement house, or of the said lot where any violation of this act or a nuisance exists, and any person who shall violate or assist in violating any provision of this act, or any legal notice or order of the said board, shall jointly and severally for each such violation be subject to a penalty of one hundred dollars, if such violation be wilful, or to a penalty of fifty dollars, if such violation be not wilful; such persons shall also be liable for all costs, expenses and disbursements paid or incurred by the said board, or by any of the

Persons liable.

Penalty.

officers thereof, or by any agent, employee or contractor of the same, in the removal of any such nuisance or violation.

Section 193  
amended.

12. Paragraph one hundred and ninety-three of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Cognizance  
of violations.

193. Every District Court in any city, or judicial district, and every justice of the peace in any county, and any police justice or recorder in any city, is hereby empowered, on oath or affirmation made according to law, that any person or persons has, or may have, violated or assisted in the violation of any provision of

Process issued.

this act, to issue process at the suit of the State Board of Tenement House Supervision, either in the nature of a summons or warrant, against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons shall be returnable in not less than one or more than ten entire days; such process shall state what paragraph of this act and particular part or parts of said paragraph are alleged to have been violated by the defendant or defendants; and on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the

Hearing; judgment.

peace, police justice or recorder shall proceed to hear the testimony without the filing of any pleadings, and on being satisfied of the guilt of the defendant or defendants shall render judgment for the plaintiff in the sum of one hundred dollars; if it shall appear from the evidence that the offense was wilful, but if it shall appear from the evidence that the offense was not wilful, judgment shall be rendered for the plaintiff in the sum of fifty dollars; and the said court, justice of the peace, police justice or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants, and said court, justice of the peace, police justice or recorder is further empowered to cause such defendants who may refuse or neglect to pay the amount of the judgment rendered against him, and all costs and charges incident thereto, to be com-

Execution  
issued.

mitted to the county jail for a period not exceeding ninety days; and said court, justice of the peace, police justice or recorder is further empowered, in case any such defendant shall have been twice convicted of the violation of the same paragraph of this act, or of continuing the violation of which he was previously convicted, in addition to the payment of the penalty hereinbefore mentioned, to cause the defendant to be imprisoned in the county jail or county workhouse, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty; *provided, however,* that no warrant shall issue against any freeholder unless affidavit shall also first be made that such freeholder is about to abscond from this State.

Imprisonment.

Proviso.

13. This act shall take effect immediately.

Approved March 22, 1917.

## CHAPTER 96.

An Act to amend an act entitled "A further supplement to an act entitled 'An act for the appointment of commissioners for the better protection of fishing interests of the State of New Jersey,' approved March seventeenth, one thousand eight hundred and seventy," approved September twenty-fifth, one thousand nine hundred and seven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section one of the act to which this act is amendatory be and the same is hereby amended so as to read as follows:

Section 1 amended.

1. The Board of Fish and Game Commissioners shall be appointed by the Governor, with the advice and consent of the Senate, and shall be composed of seven competent persons, three of whom shall be appointed upon

Membership of fish and game commission.

Term.

Vacancies.

Section a  
repealed.

the approval of this act for a term of five years. The present members of said board shall continue in office until the expiration of the terms for which they were respectively appointed. All future appointments to said board, except to fill an unexpired term, shall be for a term of five years, and until his successor shall have been appointed and qualified. Vacancies occurring by death, resignation or otherwise shall be filled in the same manner and for the unexpired term of the commissioner whose office shall become vacant. No commissioner shall hold more than one office in the said board at one and the same time.

2. Section two of the above-entitled act be and the same is hereby repealed.

3. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 97.

An Act authorizing all municipalities in this State to pass, alter, amend, repeal and enforce ordinances regulating the opening and closing of barber shops.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Municipal  
power.

1. The governing body of any municipality in this State shall have the power—

a. To pass, enforce, alter or repeal ordinances to take effect within the limits of such municipality for the following purposes:

Regulating  
hours of open-  
ing and closing  
barber shops.

To regulate the opening and closing of barber shops on Sundays and legal holidays; to regulate the hours of opening and closing on week days; to fix and enforce penalties for the violation of any ordinance or ordinances that may be passed by virtue of this act.

Penalty for  
violation.

b. For the purpose of carrying out the provisions of this act, the municipality may fix and prescribe the pen-



alties for the violation of any ordinance or section thereof in a sum not exceeding twenty-five dollars, or imprisonment not exceeding ten days in the municipal lockup or county jail as may be designated by the governing body.

2. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 98.

An Act to create the office of State Engineer, and to define the duties thereof, and provide compensation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created the office of State Engineer. Office created.

2. The duties of the State Engineer shall be:

Duties.

A. To act as advisor to and supervisor of the State Highway Department heretofore created under chapter fifteen, laws of one thousand nine hundred and seventeen.

Roads.

B. To act as advisor to and supervisor of the work or plans of any commission now or hereafter created by law, to construct any tunnels under the Hudson river, or any bridge or tunnels in or over the Delaware river, as he may be required.

Tunnels and bridge.

C. To act as advisor to and supervisor of the construction of any work or plans undertaken by any commission or joint commission charged with the development of the port of New York, or any other port lying wholly or in part within this State, as he may be required.

Developing ports.

D. To act as advisor to and supervisor of any other engineering project in which the State may be interested, as directed by the Governor.

General advisor.

Appointment,  
term, salary.

3. The State Engineer shall be appointed by the Governor for such term as in his judgment he may deem proper. His salary shall be fixed by the State House Commission, and payable either out of any funds placed to the credit of the State Highway Department or in whole or in part out of any other fund credited to any such board or commission, as above set forth; *provided, however,* that the State House Commission may prorate such salary among any of the said boards or commissions for which the State Engineer shall perform services.

Proviso.

When office  
terminates.

4. The office of State Engineer shall cease and terminate upon the retirement from the said office of the incumbent first appointed by the Governor.

5. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 99.

A Further Amendment to an act entitled "An act concerning the relocation of the tracks of street railway and traction companies and companies owning or operating street railways or traction railways in this State," approved April eleventh, one thousand nine hundred and ten.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. That section one of the act entitled "An act concerning the relocation of the tracks of street railway and traction companies and companies owning or operating street railways or traction railways in this State," approved April eleventh, one thousand nine hundred and ten, shall be and the same is hereby further amended so as to read as follows:

1. Whenever any street railway or traction company or company owning or operating a street railway or traction railway in this State shall change the location of its tracks, or any part thereof, in any street or public highway, or public park, to another part of such street or highway or public park, or whenever such street railway or traction company shall change the location of its tracks, or any part thereof, from a private right of way proposed to be taken for highway or public park purposes to a new location within the lines of any public highway, or within the boundaries of such public park, or shall change the location of its tracks from any highway or public park or private right of way to a new location in another public highway, at the request of the board or boards, body or bodies, charged with the maintenance and repair of such street or highway or public park, on or through which such tracks are located and to which such tracks shall be removed as aforesaid, the company so changing the location of its tracks, and its successors and assigns, shall have the right to maintain and operate the same in the new location for as long a period as it had the right to maintain and operate the tracks in their former location at the time of such relocation.

Period of  
operation not  
changed by  
changing or  
relocating  
tracks.

2. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 100.

An Act to enable cities to purchase lands and rights in lands from cemetery companies, and to enter into contracts with respect thereto, and to enable cemetery companies to sell such lands and rights in lands to cities, and to enter into contract with respect thereto.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Cities may acquire land from cemetery companies for streets.

Cemeteries may sell to cities.

Remaining land of cemetery not assessable for street improvements.

Lots sold or in use not included.

Directors may deed property.

1. The board or body having charge of the streets in any city in this State may purchase from any cemetery company whose cemetery is or may be located within its boundaries, any lands and rights in lands owned by such cemetery company, and desired by such city for street, highway or any other public purpose; and may enter into agreements with such cemetery company for such purchase; and such cemetery company is authorized to sell and convey to such city said lands and rights in lands, and to enter into agreements with said city for such sale, and such agreements and deeds may provide for the building by the city of proper retaining walls and other constructions for the protection of the cemeteries.

2. If under the provisions of this act lands or rights in lands shall be purchased by any city for street or highway purposes, no assessment shall at any time be placed or laid upon the remaining lands of the said cemetery for the opening or improvement of such street or highway.

3. No cemetery shall, under the provisions of this act, sell or convey any lands or rights in lands which shall have been sold to lot owners, or in which burials shall have been made.

4. The managers or directors of cemetery companies are hereby authorized and empowered to sell and con-

vey such lands and rights in land, and to make proper deeds and conveyances therefor, and to enter into the contracts authorized under this act without the concurrence of the stockholders or the lot owners of such cemetery companies.

5. The moneys necessary for the purchase of lands and rights in lands and the construction of such works as may be necessary under contracts made by any city pursuant to this act shall be raised by the board or body having charge of the finances in the manner that the board or body having charge of the streets in such city shall determine, either from moneys not otherwise appropriated or by taxation or by bonds of the said cities, which said bonds shall bear interest at a rate not exceeding four and one-half per centum, and shall run for a term not exceeding thirty years, and shall have proper sinking fund clauses to retire the same at maturity.

Provision  
for funds.

Bond issue;  
rate and time.

6. Nothing in this act contained shall authorize any city to condemn for street, highway, or other public use any lands of a cemetery company.

Condemna-  
tion not  
authorized.

7. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 101.

Supplement to an act entitled "An act respecting the Orphans' Court, and relating to the powers and duties of the ordinary and the Orphans' Court and surrogates (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. Whenever in any last will and testament there shall be nominated an executor, or there shall be de-

Obligee in  
bond if none  
named.

vised or bequeathed any property to a trustee, and said executor or trustee shall be required by the terms of said last will and testament to give bond, but said last will and testament shall be silent as to who shall be the obligee in said bond, then and in every such case the ordinary of the State of New Jersey may be made the obligee in said bond.

Delivery of  
bond.

2. Such bond shall be delivered to the surrogate of the county wherein said last will and testament was probated, or if said will was probated before the ordinary, said bond shall be delivered to the clerk of the Prerogative Court.

Approval  
and filing.

3. Said bond shall, on its delivery to said surrogate, be examined by him or by the Orphans' Court in said county as to amount and sureties, and if said surrogate or said Orphans' Court shall approve of the amount and sureties of said bond, said surrogate shall file said bond in his office, and thereupon said bond shall be in full force and effect; or if said bond shall be delivered to the clerk of the Prerogative Court, then the said bond shall be examined by the ordinary as to the amount and sureties, and if the ordinary shall approve of the amount and sureties of the said bond, the clerk of the Prerogative Court shall file the said bond in his office, and thereupon the said bond shall be in full force and effect.

If forfeited,  
prosecution.

4. In case any bond given by said executor or trustee shall become forfeited, the ordinary may cause the same to be prosecuted in any court of record, at the request and expense of any party aggrieved by such forfeiture; and the moneys recovered upon such bond shall be applied toward making good the damage sustained by the failure to perform the condition, in such manner as the ordinary shall by his sentence or decree direct.

Application  
of act.

5. This act shall apply to wills of testators deceased prior to the passage of this act as well as to the wills of testators deceased subsequent thereto.

6. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 102.

A Further Supplement to an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in the cities of this State, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to further taxation and assessment," passed March thirtieth, eighteen hundred and eighty-six.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Where the purchaser, his legal representatives or assigns, have omitted to file affidavits and proofs of service of notice or of mailing and publication required by the act to which this is a supplement and any of the supplements thereto, within the time now required by law, such affidavits and proofs may be filed any time within two months after the passage of this act with like force and effect as if filed within the time heretofore required by law.

Time extended for filing affidavits, etc.

2. All acts and parts of acts so far as they conflict herewith be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 23, 1917.

## CHAPTER 103.

An Act concerning conditional sales, leases or mortgages of railroad and street railway equipment and rolling stock.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Recording  
sale or lease  
of car equip-  
ment.

1. Whenever any railroad or street railway equipment and rolling stock shall hereafter be sold, leased or loaned on condition that the title to the same shall remain in vendor, lessor or bailor until the terms of the contract as to the payment of installments or rentals, or the performance of other obligations thereunder shall have been complied with, and when possession of such property shall have been delivered under such contract, or when the same shall have been mortgaged, such condition or the lien of such mortgage shall not be valid as to any subsequent judgment creditor, or any subsequent purchaser for a valuable consideration without notice, unless the same shall be evidenced by writing, duly acknowledged in the same manner as conveyances of land, and which writing shall be recorded in the office of the Secretary of State when the vendee, lessee, bailee or mortgagor is a corporation operating its road in more than a single county, and where such line is operated in a single county, then in the office of the recorder of deeds or county clerk, as the case may be, of such county, as a mortgage on the goods and chattels, and unless each locomotive or car shall have the name of the vendor, lessor, bailor, mortgagee or assignee thereof plainly marked on both sides thereof, followed by the word "owner, lessor, bailor, mortgagee" or "assignee," as the case may be; and other provisions of law as to the recording of conditional sales and mortgages of personal property shall not apply

Where  
recorded.

Leased stock  
marked.

Certain pro-  
visions of  
law not  
applicable.



to the conditional sales or mortgages of equipment and rolling stock provided for in this act.

2. This act shall take effect immediately.

Approved March 23, 1917.

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## CHAPTER 104.

An Act relating to appointments to office by the mayor  
in cities of the first class.

BE IT ENACTED by the Senate and General Assembly  
of the State of New Jersey:

1. Wherever in any city of the first class the mayor is authorized to appoint to office any officer, member of any board, body or commission, or any employee, whether with or without the confirmation or approval of the common council or other governing body of such city, the mayor is hereby authorized and empowered to make every such appointment without the confirmation or approval of the common council or other governing body. And upon such appointment, said officer, member of any board, body or commission, or any employee shall be vested with all of the rights, emoluments, duties and responsibilities of such respective office, of such membership in such board, body, commission, or of such position.

Appoint-  
ments by  
mayor with-  
out confirma-  
tion by  
council.

2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately. The operation of this act shall cease and terminate on the first day of July, nineteen hundred and eighteen.

Repealer.

Limitation  
of act.

Approved March 23, 1917.

## CHAPTER 105.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Civil Service  
Commission;  
how com-  
posed.

1. The Governor of this State shall, by and with the consent of the Senate, appoint five persons to be Civil Service Commissioners under the act referred to in the title of this act and to which this act is a supplement, one of whom shall, at the time of such appointment, be designated by the Governor as president of the Civil Service Commission, all of whom must be residents of the State of New Jersey, and at the time of such appointment the Governor shall designate one of said commissioners to hold office for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, and one for the term of five years, beginning from the date of the approval of this act, and thereafter at the expiration of each of said periods of one year, two years, three years, four years and five years, respectively, the Governor of this State shall, by and with the advice and consent of the Senate, appoint one person as the successor of the commissioner whose term shall then have expired to serve for the term of five years and until his successor shall have been appointed and qualified, and thereafter the terms of said five commissioners shall each be for the period of five years. No commissioner shall hold any other office of profit under the government of this

Terms.

State or of the United States. Three members of said commission shall constitute a quorum for the transaction of business. Any vacancy in said commission shall be filled by the appointment by the Governor for the remainder of the term, subject to confirmation by the Senate, but any appointment shall be in force until acted upon by the Senate. The other commissioners shall be eligible to appointment to fill a vacancy in the office of president of said commission.

Quorum.

Vacancies.

2. The president of said Civil Service Commission shall receive a salary of twenty-five hundred dollars per annum, and each of the other commissioners shall receive a salary of two thousand dollars per annum, payable monthly, out of the treasury of this State, on the warrant of the Comptroller. In addition each commissioner shall be entitled to be paid out of the treasury of this State, on the warrant of the Comptroller, such sums as shall be incurred for necessary traveling and other expenses; but no money shall be paid out of the treasury for any such purpose except on bills presented to the Treasurer, duly verified by the oath of the person presenting the claim.

Salaries.

Expenses.

3. That the offices of the four Civil Service Commissioners appointed under the provisions of the act to which this act is a supplement be and the same are hereby vacated, to take effect upon the appointment, confirmation and qualification of the five Civil Service Commissioners whose appointment is directed and provided for by this act.

Present  
board  
vacated.

4. That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 23, 1917.

## CHAPTER 106.

An Act to amend an act entitled "An act to protect all citizens in their civil and legal rights," approved May tenth, one thousand eight hundred and eighty-four.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 1  
amended.

1. Section one of the act entitled "An act to protect all citizens in their civil and legal rights," approved May tenth, one thousand eight hundred and eighty-four, be amended so as to read as follows:

Equal privileges within  
the State.

1. All persons within the jurisdiction of the State of New Jersey shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of any place of public accommodation, resort or amusement, subject only to the conditions and limitations established by law and applicable alike to citizens of every race and color, regardless of any previous condition of servitude. A place of public accommodation, resort or amusement, within the meaning of this act, shall be deemed to include inn, tavern or hotel, whether conducted for the entertainment of transient guests, or for the accommodation of those seeking health, recreation or rest, any restaurant, eating-house, public conveyance on land or water, public bathhouse, public boardwalk, public seashore accommodation, theatre or other place of public amusement, music hall and any public place maintained for the sale of soda water or ice cream.

Definition.

Section 2  
amended.

2. Section two of the said act be and the same is hereby amended to read as follows:

Penalty for  
violation.

2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude,

the full enjoyment of any of the accommodations, advantages, facilities or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the overseer of the poor for the use of the poor in the municipality in which the offense is committed, to be recovered in an action of debt, with full costs, and shall also, for every such offense, be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred dollars, and not more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year.

Approved March 23, 1917.

## CHAPTER 107.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There shall be established and made a part of the courses of instruction in the public schools of this State what shall be known as "A Course in Physical Training." Such course shall be adapted to the ages and capabilities of the pupils in the several grades and departments, and shall include exercises, calisthenics, formation drills, instruction in personal and community health and safety and in correcting and preventing bodily deficiency, and such other features and details as may aid in carrying out these purposes, together with instruction as to the privileges and responsibilities

Physical  
training in  
schools.

Course.

of citizenship, as they relate to community and national welfare, with special reference to developing bodily strength and vigor, and producing the highest type of patriotic citizenship; and in addition, for female pupils, instruction in domestic hygiene, first aid and nursing. To further promote the aims of this course any additional requirements or regulations as to medical inspection of school children may be imposed.

Preparation  
and approval  
of course.

2. The course herein prescribed shall be prepared by the State Commissioner of Education, and, when approved by the State Board of Education, shall constitute the prescribed course in physical training. By and with the approval of the State Board of Education, the State Commissioner of Education may employ experts to assist him in preparing such courses of instruction, and to assist in putting into operation the courses and work as prescribed in the public schools of the State.

All pupils as  
far as pos-  
sible, to take  
course.

3. Every pupil, excepting kindergarten pupils, attending the public schools of this State, in so far as he or she is physically fit and capable of doing so, which fitness shall be determined by the medical inspector, shall take the course in physical training as herein provided, and such course shall be a part of the curriculum prescribed for the several grades, and the conduct and attainment of the pupils shall be marked as in other courses or subjects, and the standing of the pupil in connection therewith shall form a part of the requirements for promotion or graduation.

Time devoted  
to course.

4. The time devoted to such courses shall aggregate at least two and one-half hours in each school week, or proportionately when holidays fall within the week.

Military  
training  
under certain  
conditions.

5. If the State Board of Education or any school district or municipality, as hereinafter provided, shall determine that the course in physical training as prescribed for male pupils in the high school shall include military training, such a course shall be prepared by the Commissioner of Education and the Adjutant-General and be a part of the course of physical training for male pupils. All male pupils in the high school shall be required to take this course, excepting in the case

High school  
boys to  
take it.

of boys physically unfit, as determined by the medical inspector, or whose parents may have conscientious scruples against military training; *provided, however,* in event the State Board of Education shall not include military training in the requirements for such course, the board of education of any school district, which elects the members of such board by vote of the people, may submit the question of whether the same shall be included in the course of physical training as herein prescribed for such district, or upon petition to the board of education by at least ten per centum of the legal voters of such district such board shall submit the question to referendum vote of those qualified to vote in such district for members of the board of education; at the ensuing annual or a special election in such school district and in districts which do not elect members of the board of education by vote of the people, when the said board, by resolution passed by it and delivered to the clerk of the municipality within which such district is constituted, shall so determine, or upon petition of at least ten per centum of the legal voters of such municipality delivered to the clerk of the municipality, said clerk shall cause the question as to whether the course of physical training shall include military training to be submitted to a referendum vote of the legal voters of such municipality, and such question shall be placed on the ballot of the next ensuing general election in said municipality.

Proviso;  
question sub-  
mitted to  
voters.

Before a vote shall be taken, as herein provided, the clerk of the school district or municipality, as the case may be, shall cause fifteen days' notice to be published at least twice, in a newspaper or newspapers published or circulating in said school district or municipality. The first insertion of such notice shall be at least fifteen days prior to the date of such election. The ballot shall be in the following form:

Notice of  
election given.

Ballot.

	Yes.	Shall the course in physical training for male pupils in the high school include military training?
	No.	

Voting.	To vote in favor of the question, place an X mark in the square to the left of the word "Yes"; to vote against it, place an X mark in the square to the left of the word "No."
Canvass.	The ballots shall be canvassed in the same manner as those for members of the board of education in a school district and for candidates for office in a municipality.
Result.	If a majority of the votes cast on such question shall be in the affirmative, military training shall be included in the course of physical training for male pupils in the high school of such district or municipality, as the case may be.
Cost of election.	The cost of all matters pertaining to such referendum vote shall be borne by the school district or municipality, as the case may be.
Expenses of maintenance.	6. Where the course of physical training is amended to include military training, as provided in section five, such necessary equipment, and expenses incidental thereto, shall be provided in the same manner as other expenses for the maintenance of the schools are provided.
Instructor in military training certified.	7. Where a course of military training is included in the course of physical training, as herein provided, the instructor shall at all times hold a certificate as to qualification as an instructor in military training from the Adjutant-General, and the salary of the instructor shall be met by the district obtaining these services.
Qualifications of teachers and instruction of Normal School pupils.	8. The State Board of Education shall adopt regulations fixing the necessary qualifications of teachers in physical training, and shall require all students at the State Normal Schools to receive thorough instruction in such courses, and shall provide such instruction for such students in attendance at the State Summer Schools as shall elect to take such instruction.
Supervision.	9. The instruction and courses in physical training shall be subject to the general supervision and direction of the Commissioner of Education. The Commissioner
Assistants.	of Education shall appoint such expert assistants as in the opinion of the State Board of Education shall from time to time be necessary to carry out the purposes of this act.



10. The courses herein required shall be made a part of the instruction beginning with the next fall term of the school year; *provided*, that where the course of military training is adopted by a referendum vote, such course shall be instituted within sixty days of the date of such election. The board of education of any school district is hereby authorized to borrow on temporary loan such money as may be necessary for carrying out the provisions of this act in its respective district. Money so borrowed shall be placed in the appropriation, which shall be operative beginning July first, one thousand nine hundred and eighteen, and shall be paid by the thirty-first day of December, one thousand nine hundred and eighteen. In the budget for the school year, beginning July first, one thousand nine hundred and eighteen, and each year thereafter, appropriation shall be made for carrying out the provisions of this act.

Courses  
begin.

Proviso.

Provision  
for funds.

11. For the purpose of enabling the State Commissioner of Education and the State Board of Education to carry out the provisions of this act, the sum of ten thousand dollars shall be appropriated in the supplemental appropriation bill and twelve thousand dollars in the annual appropriation bill.

Appropriations.

12. This act shall take effect immediately.

Approved March 23, 1917.

## CHAPTER 108.

A Further Supplement to the act entitled "An act to provide means for protection against fires in townships," approved March tenth, one thousand eight hundred and seventy-nine.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 6  
amended.

1. That section six of the act to which this is a supplement be amended to read as follows:

Fire com-  
missioners in  
townships.

6. *And be it enacted*, That the legal voters of a district so organized shall meet annually on the second Tuesday in April, at three o'clock in the afternoon, and determine the amount of money to be raised for the ensuing year, and elect a board of fire commissioners, to consist of five persons resident in such district, who, when elected, shall possess, within such district, all the rights and powers of the township committee under this act and shall hold office for three years and until their successors are elected; *provided*, that at the first meeting of said board of fire commissioners elected after the passage of this act, the members of said board shall divide themselves by lot into three classes; the term of two members composing the first class shall be vacated at the expiration of the first year; the term of the two members composing the second class shall be vacated at the expiration of the second year, and the term of the one member composing the third class shall be vacated at the expiration of the third year, so that two members of said board of fire commissioners shall be elected annually, after the first election except every third year, when but one member shall be elected to hold office for three years, and if vacancies happen, by resignation or otherwise, the person or persons elected to supply such vacancies shall be elected for the unexpired term only.

Term.  
Proviso.

Vacancies.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 24, 1917.

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## CHAPTER 109.

A Further Supplement to an act entitled "An act authorizing the formation of partnership associations, in which the capital subscribed shall only be responsible for the debts of the association, except under certain circumstances," approved April twelfth, one thousand eight hundred and eighty, relating to and concerning the dissolution and manner of winding up such associations, whether solvent or insolvent, and the disposal and distribution of the property and assets thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. All associations formed under the provisions of the act to which this is a supplement, whether they expire by their own limitation or be otherwise dissolved, shall be continued as such associations for the purpose of prosecuting and defending suits by or against them, and of enabling them to settle and close their affairs, to dispose of and to convey their property and assets of all kinds, real or personal, and to divide their capital, but not for the purpose of continuing the business for which they were established.

Continuation  
of associa-  
tion for legal  
purposes or  
closing busi-  
ness.

2. All such associations which have heretofore expired by their own limitation, or been otherwise dissolved, are hereby continued as such associations for the purpose of prosecuting and defending suits by or against them, and of enabling them to settle and close their affairs, to dispose of and to convey their property

Associations  
continued.

and assets of all kinds, real or personal, and to divide their capital, but not for the purpose of continuing the business for which they were established.

Trustees for  
purpose of set-  
tlement.

3. The managers of all such associations which have heretofore expired by their own limitation, or been otherwise dissolved, or which shall hereafter expire by their own limitation, or be otherwise dissolved, shall be the trustees thereof, with full power to settle the affairs, collect the outstanding debts, sell and convey the property and assets of all kinds, real or personal, and divide the moneys and other property among the members, after paying its debts, as far as such moneys and property shall enable them. They shall have power to meet and act under regulations to be made by a majority of said trustees, to prescribe the terms and conditions of the sale of such property, and may sell all or any part for cash, or partly on credit, or take mortgages and bonds for part of the purchase price for all or any part of said property, and may in their discretion compound and settle with any debtor or creditor of the association, or with persons having possession of its property, or in any way responsible at law or in equity to the association, at the time of the expiration or dissolution thereof, or afterwards, upon such terms and in such manner as they shall deem just and beneficial to the association, and in case of mutual dealings between the association and any person to allow just set-offs in favor of such person in all cases in which the same ought to be allowed according to law and equity. In case of a vacancy or vacancies in the board of managers of any association which has heretofore expired by its own limitation, or been otherwise dissolved, or which shall hereafter expire by its own limitation, or be otherwise dissolved, existing at the time of the dissolution or occurring subsequent thereto, the surviving managers or manager shall be the trustees or trustee thereof, as the case may be, with full power to settle the affairs, collect the outstanding debts, sell and convey the property and assets of all kinds, real or personal, and divide the moneys and other property among the members, after paying its debts, as far as

Meetings,  
actions,  
conditions of  
sale, etc.

Set-offs.

Vacancies.

Surviving  
managers to  
settle affairs.

such moneys and property shall enable them, and in their or his discretion to compound and settle with any debtor or creditor of the association, or with persons having possession of its property, or in any way responsible at law or in equity to the association, at the time of the expiration or dissolution thereof, or afterwards, upon such terms and in such manner as they shall deem just and beneficial to the association, and in case of mutual dealings between the association and any person to allow just set-offs in favor of such person in all cases in which the same ought to be allowed according to law and equity, and to do and perform all such other acts as shall be necessary to carry out the provisions of this act relative to the winding up of the affairs of such association and to the distribution of its assets.

4. The managers, constituted trustees as aforesaid, shall have authority to sue for and recover the aforesaid debts and property, by the name of the association, and shall be suable by the same name, or in their own names or individual capacities, for the debts owing by such association, and shall be jointly and severally responsible for such debts, to the amount of the moneys and property of the association which shall come to their hands or possession as such trustees.

Managers  
may sue or  
be sued.

5. When any deed of conveyance of the lands, tenements, hereditaments or personal property of any such association which has heretofore expired by its own limitation, or been otherwise dissolved, or which shall hereafter expire by its own limitation, or be otherwise dissolved, shall be made, executed and delivered by said managers, constituted trustees as aforesaid, the title of the purchaser or grantee in said deed to the lands or personal property thereby sought to be conveyed shall be valid and effectual in law or in equity, as fully and completely as if the same were conveyed by said association, and all of its individual partners or members, before the expiration or dissolution thereof, or by all of its individual partners or members after the expiration or dissolution of said association.

Validity of  
deed made by  
trustees.

Receiver  
may be ap-  
plied for.

Hearing on  
petition.

Managers  
may be  
continued or  
receiver ap-  
pointed.

Power and  
authority.

6. Any creditor or member of any association which has heretofore expired by its own limitation, or been otherwise dissolved, or which shall hereafter expire by its own limitation, or be otherwise dissolved, may at any time after the expiration or dissolution thereof, by petition or bill of complaint setting forth the facts and circumstances of the case, apply to the Court of Chancery for the appointment of a receiver or receivers, and the court being satisfied by affidavit or otherwise of the sufficiency of said application, and of the truth of the allegations contained in the petition or bill, and upon such notice as the court by order may direct, may proceed in a summary way to hear the affidavits, proofs and allegations which may be offered on behalf of the parties; and if upon such inquiry it shall appear to the court that said association has heretofore or theretofore expired by its own limitation, or been otherwise dissolved, it may either continue the managers acting as such at the expiration or dissolution of said association, or the surviving managers or manager, trustees or trustee as aforesaid, or appoint one or more persons to be receivers of such association, and the creditors and members thereof, with full power and authority to demand, sue for, collect, receive and take into their possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes and property of every description of the association, and to institute suits at law or in equity for the recovery of any estate, property, damages or demands existing in favor of the association, and in his or their discretion to compound and settle with any debtor or creditor of the association, or with persons having possession of its property, or in any way responsible at law or in equity to the association at the time of the expiration or dissolution thereof, or afterwards, upon such terms and in such manner as he or they shall deem just and beneficial to the association, and in case of mutual dealings between the association and any person to allow just set-offs in favor of such person in all cases in which the same ought to be

allowed according to law and equity; and the receiver or receivers shall have power to sell, convey and assign all the said estate, lands, tenements and hereditaments, rights and interests, and shall hold and dispose of the proceeds thereof under the directions of the Court of Chancery, and the title of the purchaser or grantee to the lands or property thus conveyed and assigned by said receiver shall be valid and effectual in law or in equity, as fully and completely as if the same were conveyed by said association and all of its individual partners or members before the expiration or dissolution thereof, or by all of its individual partners or members after the expiration or dissolution of said association; and the said receiver or receivers shall have power to do all other acts which might be done by such association, if in being, that may be necessary for the final settlement of its unfinished business; and the powers of such receiver or receivers may be continued as long as the court shall think necessary for such purposes.

Receiver  
may sell  
property.

Validity of  
title.

Continuance  
of receiver.

7. If any such association has become, and now is, or shall become insolvent, or has suspended or shall suspend its ordinary business for want of funds to carry on the same, or if its business has been and is being conducted at a great loss and greatly prejudicial to the interests of its creditors or members, any creditor or member may by petition or bill of complaint setting forth the facts and circumstances of the case, apply to the Court of Chancery for a writ of injunction and the appointment of a receiver or receivers, or trustee or trustees, and the court being satisfied by affidavit or otherwise of the sufficiency of said application, and of the truth of the allegations contained in the petition or bill, and upon such notice, if any, as the court by order may direct, may proceed in a summary way to hear the affidavits, proofs and allegations which may be offered on behalf of the parties, and if upon such inquiry it shall appear to the court that the association has become insolvent and is not about to resume its business in a short time thereafter, or that its business has been and is being conducted at a great loss and greatly prejudicial to the in-

In case of  
insolvency.

Injunction  
and receivers  
applied for.

Injunction  
issued.

terests of its creditors or members, so that its business cannot be conducted with safety to the public and advantage to the members, it may issue an injunction to restrain the association, and its officers and agents, from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court shall otherwise order; and the Court of Chancery, at the time of ordering said injunction, or at any time afterwards, may appoint a receiver or receivers or trustees for the creditors and members of the association, with all the power and authority, rights and privileges, in this act prescribed and conferred upon the receiver or receivers hereinbefore provided for.

Oath of  
receiver.

8. Every receiver shall, before acting, enter into such bond and comply with such terms as the court may prescribe, and take and subscribe the following oath or affirmation:

"I, . . . . ., do swear (or affirm) that I will faithfully, honestly and impartially execute the powers and trusts reposed in me as receiver, for the creditors and members of the . . . . ., and that without favor or affection," which oath or affirmation shall be filed in the office of the Clerk in Chancery within ten days after the taking thereof.

Court of  
Chancery to  
have juris-  
diction.

9. The Court of Chancery shall have jurisdiction of said applications hereinbefore provided for, and of all questions arising in the proceedings thereon, and may make such orders and decrees therein as justice and equity shall require.

Creditors  
paid ratably.

10. The said trustees or receivers shall pay ratably, as far as its moneys and property shall enable them, all the creditors of the association who prove their debts in the manner directed by the court; and if any balance remain after the payment of such debts and necessary expenses, the same shall be distributed among the members.

Service of  
subpoenas.

11. Upon the filing of the petition or bill of complaint as hereinbefore provided, process of subpoena or



such notice as the court by order shall direct, as the case may be, may be served upon either the president, secretary or treasurer, or any one of the managers of said association, acting in such capacity at the time of the expiration or dissolution of said association; and such service shall be valid and effectual for the purposes of said proceeding and all other intents and purposes.

12. This act shall take effect immediately.

Approved March 24, 1917.

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## CHAPTER 110.

An Act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Amend section seventy-six of the act to which this act is an amendment so that it shall read as follows:

Section 76  
amended.

76. (1) Whenever a city board of education shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a schoolhouse or schoolhouses, it shall prepare and deliver to each member of the board of school estimate of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes; said board of school estimate shall fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education, and the other to the common council, board of finance or other body in the city having the power to make appro-

Method of  
raising money  
for lands or  
building.

Appropriation.	priations of money raised by tax in such city, hereafter designated the governing body; said governing body may appropriate such sum or sums for such purpose or purposes in the same manner as other appropriations are made by it, and the said sum or sums shall be raised, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected; or said governing body may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed six per centum per annum, by the issue of bonds in the corporate name of such city; bonds so issued shall be designated "School Bonds," may be registered or coupon, or both, of such denominations (but not less than five hundred dollars) as the governing body may determine.
Issue school bonds.	
Rate.	
Denomination.	
Payable.	(2) Bonds issued hereunder shall be made payable in annual installments, commencing not more than two years from their date of issue; no installment shall be more than fifty per centum in excess of the amount of the smallest prior installment.
Maturity of bonds.	(3) All bonds (excepting refunding bonds) issued hereunder shall mature within a period not to exceed the following number of years for the following classes of purposes:
Character of building.	A. For the acquisition or construction of school-houses, whether including or not including the original furnishings, or equipment, or machinery, or apparatus, required for the proper equipment of such buildings, if such buildings be:
Frame;	(a) Of frame construction—that is, a building of which the exterior walls, or a portion thereof, shall be constructed of wood, or a building sheathed with boards and partially or entirely covered with four inches or less of masonry or with metal sheets—twenty years;
Non-fireproof;	(b) Of non-fireproof construction—that is, a building the outer walls of which are constructed in accord with the specifications contained in clause (c) of this subdivision for a fireproof building, but which fail to

conform with any of the other specifications for a fireproof building, as defined in clause (c)—thirty years;

(c) Of fireproof construction—that is, a building the walls of which are constructed of brick, stone, iron or hard, incombustible materials, and in which there are no wood beams or lintels, and in which the floors, stair halls and public halls are built entirely of brick, stone, iron or other hard, incombustible materials, and in which no woodwork or other inflammable material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair halls and entrance halls, wooden flooring and sleepers on top of the fireproof floor, wooden handrails and treads if made of hard wood not less than two inches thick, or having wooden doors or window sash, or wooden jambs, frames, casings or trim, in other than stair or entrance halls—forty years. Fireproof.

B. For acquiring land for school purposes and for grading, drainage or otherwise improving or embellishing the land thus acquired—forty years. Acquiring land.

C. For construction of an addition or additions to schoolhouses, and for the reconstruction of schoolhouses if the schoolhouse to which an addition or reconstruction is made is a building: Building addition:

(a) Of the character described in subdivision A, clause (a)—fifteen years; Frame:

(b) Of the character described in subdivision A, clause (b)—twenty years; Non-fireproof;

(c) Of the character described in subdivision A, clause (c)—thirty years. Fireproof.

D. For furnishing, refurnishing, equipment, or apparatus, or renewal of any or all of these things, when not in connection with the original furnishing, equipment or apparatus—ten years. Furnishings, equipment, etc.

(4) No bonds issued under this section after July first, one thousand nine hundred and seventeen, shall be renewed or refunded, but any bonds issued prior to such date, where the fund or funds on hand for the payment of same at their maturity, or at the time such bonds may be called for payment, will be insufficient to As to renewal of bonds.

- Refunding bonds. pay same; then such portion only of such bonds as cannot be paid with the fund or funds on hand may be refunded by the issuance of refunding bonds. Such refunding bonds shall run for a period not to exceed twenty years, and shall be made payable in twenty annual installments, each installment to be, as nearly as practical, of the same amount.
- Sale of bonds. (5) Bonds shall be sold at not less than par and unless the authorized amount thereof is ten thousand dollars or less, and unless such bonds shall first be offered to the trustees of the school fund and accepted by them, they shall be sold upon sealed proposals or at public auction after notice of such sale published at least twice, the first publication at least ten days prior to sale, in a newspaper of the municipality, or if no newspaper is published therein then in a newspaper published in the county and circulating in such municipality, and also at least once in a financial paper selected by the governing body. Such notice shall state the terms of sale of such bonds, and shall require all bidders to deposit a certified check for two per centum of the amount of bonds bid for, drawn upon an incorporated bank or trust company, to secure the municipality against any loss resulting from the failure of the bidder to comply with the terms of his bid. If no bids are received for any bonds advertised to be sold at public sale herein, they may, within thirty days thereafter, be sold at private sale, but such sales shall be made or confirmed by resolution of the governing body adopted by a two-thirds vote of all the members thereof.
- Public sale. The governing body may by a two-thirds vote of all the members thereof sell to the sinking fund of such municipality any issue of such bonds or any part thereof at private sale at not less than par. No more bonds of any issue shall in any event be sold than will produce a sum equal to the authorized amount thereof and an additional sum of less than the smallest denomination of the bonds.
- Notice of sale.
- If no bids, private sale.
- Sale to sinking fund.
- Bonds may be sold in installments. (6) Such bonds may be sold at one time or in installments, each of which, with the previous installments, shall mature within the period herein fixed. If sold in

one installment, or upon the sale of the last installment, the notice of sale shall state the sum required to be obtained at such sale, not exceeding, with the proceeds of any previous installments, the amount of bonds authorized, and that bonds will be sold in an amount not exceeding such sum, and the maturities of such bonds, and the rate of interest thereon. It shall also state that unless all bids are rejected said bonds shall be sold to the bidder or bidders complying with the terms of sale and offering to pay not less than such sum, and to take therefor the least amount of bonds, commencing with the first maturity and stated in a multiple of the smallest denomination of the bonds. Where two or more bidders offer to take the same amount of such bonds, then the bonds shall be sold to the bidder or bidders offering to pay therefore the highest additional price. The proceeds of any bonds issued under this act shall be paid to the custodian of school moneys of the school district, who shall in no event disburse the same, except to pay the expenses of issuing and selling the same, and for the purpose or purposes for which such bonds were issued. If, for any reason, any part of such proceeds are not applied to or necessary for such purpose or purposes, the board of education may transfer the balance remaining unapplied to the building and repairing account of the school district.

To whom  
sold.

Proceeds paid  
to custodian  
of school  
moneys.

(7) Such city shall in its annual tax levy raise money sufficient to pay the interest and the principal of such bonds as may mature during that year; the proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district, and shall be paid out only on the warrants or orders of the board of education: *provided*, that no amount in excess of three per centum of the taxable valuation of the real and personal property shall be appropriated only with the concurrence and consent of the governing body, expressed by its resolution duly passed: *provided, further*, that the total amount of bonds for such purposes, including bonds theretofore issued for the purposes named in this section and not

Provisions for  
principal  
and interest.

Proceeds.

Proviso.

Proviso.

Proviso.

redeemed, shall not exceed at any one time a sum equal to five per centum of the taxable valuation of the real and personal property in such district; *and provided, further*, that if the charter of the city shall limit the amount of indebtedness in such city, or shall by its terms prevent the carrying out of the provisions of this section, said charter provisions shall hereafter be held not to apply to the issuing of bonds under the provisions of this section.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and seventeen.

Approved March 24, 1917.

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CHAPTER III.

An Act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 97  
amended.

1. Amend section ninety-seven of the act to which this act is an amendment so that it shall read as follows:

Issuance of  
bonds.

97. (1) The legal voters of any school district incorporated as provided in section eighty-four of the act to which this act is an amendment may, either at the annual meeting of said district or at a special meeting thereof called for that purpose, by the vote of a majority of the legal ballots cast, authorize the board of education to issue bonds of the district for the purpose of purchasing or taking and condemning land for school purposes, or building a schoolhouse or schoolhouses, or making additions, alterations, repairs or improvements in or upon any schoolhouse and the lands upon which

Purposes.

the same shall be located, and of purchasing school furniture and other necessary equipment, or for any or all of said purposes. Such bonds shall be issued in the corporate name of the district, for such sums and in such amounts and payable within a period not to exceed the number of years as set forth in sub-section (3) of this section, for the several classes of purposes, as directed by a majority of the legal ballots cast, with interest at a rate not exceeding six per centum per annum, payable half yearly; *provided*, that the denomination of said bonds shall be one hundred dollars or a multiple of one hundred dollars.

(2) Such bonds shall be made payable in annual installments commencing not more than two years from their date of issue, and no installment shall be more than fifty per centum in excess of the amount of the smallest prior installment. Said bonds may be registered or coupon bonds, or may be registered and coupon bonds combined, and shall be signed by the president of the board of education and attested by the district clerk; shall bear the seal of the district, and in the case of coupon bonds shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk, and shall be numbered to correspond to the several bonds to which they shall severally be attached. Bonds so issued shall be numbered, and a proper registry thereof shall be kept by the district clerk.

(3) All bonds (excepting refunding bonds) issued hereunder shall mature within a period not to exceed the following number of years for the following classes of purposes:

A. For the acquisition or construction of school-houses, whether including or not including the original furnishings, or equipment, or machinery, or apparatus required for the proper equipment of such buildings, if such buildings be:

(a) Of frame construction—that is, a building of which the exterior walls or a portion thereof, shall be constructed of wood; or a building sheathed with boards and partially or entirely covered with four inches or less of masonry or with metal sheets—twenty years;

Amount.

Term.

Rate.

Proviso.

Payable in installments.

Description of bonds.

Maturity of bonds.

Character of building;

Frame;

**Non-fireproof;** (b) Of non-fireproof construction—that is, a building, the outer walls of which are constructed in accord with the specifications contained in clause (c) of this subdivision for a fireproof building, but which fail to conform with any of the other specifications for a fireproof building, as defined in clause (c)—thirty years;

**Fireproof.** (c) Of fireproof construction—that is, a building, the walls of which are constructed of brick, stone, iron or hard incombustible materials, and in which there are no wood beams or lintels, and in which the floors, stair halls and public halls are built entirely of brick, stone, iron, or other hard incombustible materials and in which no woodwork or other inflammable material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair halls, and entrance halls, wooden flooring and sleepers on top of the fireproof floor, wooden handrails and treads if made of hard wood not less than two inches thick—or having wooden doors or window sash, or wooden jambs, frames, casings, or trim in other than stair or entrance halls—forty years.

**Acquiring land.**

B. For acquiring land for school purposes and for grading, drainage or otherwise improving or embellishing the same—forty years.

**Building addition:**

C. For construction of an addition or additions to school houses and for the reconstruction of school houses, if the school house to which an addition or reconstruction is made, is a building:

**Frame;**

(a) Of the character described in subdivision A, clause (a)—fifteen years;

**Non-fireproof;**

(b) Of the character described in subdivision A, clause (b)—twenty years;

**Fireproof.**

(c) Of the character described in subdivision A, clause (c)—thirty years.

**Furnishing, equipment, etc.**

D. For furnishing, refurnishing, equipment or apparatus, or renewal, or any or all of these things, when not in connection with the original furnishing, equipment or apparatus—ten years.

**As to renewed bonds.**

(4) No bonds issued under this section after July first, one thousand nine hundred and seventeen, shall



be renewed or refunded, but any bonds issued prior to such date, where the fund or funds on hand for the payment of same at their maturity, or at the time such bonds may be called for payment, will be insufficient to pay same; then such portion only of such bonds as cannot be paid with the fund or funds on hand may be refunded by the issuance of refunding bonds. Such refunding bonds shall run for a period not to exceed twenty years and shall be made payable in twenty annual installments—each installment to be, as nearly as practical, of the same amount.

Refunding  
bonds.

(5) All bonds issued under this act shall be sold at not less than par, and unless the authorized amount thereof is ten thousand dollars or less, or unless such bonds shall first be offered to the trustees of the school fund, and accepted by them, they shall be sold upon sealed proposals or at public auction after notice of such sale published at least twice, the first publication at least ten days prior to sale, in a newspaper of the municipality, or, if no newspaper is published therein, then in a newspaper published in the county and circulating in such municipality, and also at least once in a financial paper selected by the board of education. Such notice shall state the terms of sale of such bonds and shall require all bidders to deposit a certified check for two per centum of the amount of bonds bid for, drawn upon an incorporated bank or trust company, to secure the school district against any loss resulting from the failure of the bidder to comply with the terms of his bid. If no bids are received for any bonds advertised to be sold at public sale herein, they may, within thirty days thereafter, be sold at private sale, but such sales shall be made or confirmed by resolution of the board of education by a two-thirds vote of all the members thereof. Any school district may by a two-thirds vote of the board of education sell to the sinking fund of the municipality in which the school district is located or to the sinking fund of the school district any issue of school bonds or any part thereof at private sale at not less than par. No more bonds of any issue shall in any event be sold than will produce a sum equal to the au-

Sale of bonds.

Public sale.

Notice of  
sale.

If no bids,  
private sale.

Sale to sink-  
ing fund.

thorized amount thereof and an additional sum of less than the smallest denomination of the bonds offered.

Bonds may  
be sold in  
installments.

(6) Such bonds may be sold at one time or in installments, each of which, with the previous installments, shall mature within the term as herein fixed. If sold in one installment, or upon the sale of the last installment, the notice of sale shall state the sum required to be obtained at such sale, not exceeding, with the proceeds of any previous installments, the amount of bonds authorized, and that bonds will be sold in an amount not exceeding such sum, and the maturities of such bonds and the rate of interest thereon. It shall also state that unless all bids are rejected said bonds will be sold to the bidder or bidders complying with the terms of sale and offering to pay not less than such sum, and to take therefor the least amount of bonds, commencing with the first maturity and stated in a multiple of the smallest denomination of the bonds. Where two or more bidders offer to take the same amount of such bonds, then they shall be sold to the bidder or bidders offering to pay therefor the highest additional price.

To whom  
sold.

Proceeds paid  
to custodian  
of school  
moneys.

(7) The proceeds of any bonds issued under this act shall be paid to the custodian of school moneys of the school district, who shall in no event disburse the same except to pay the expenses of issuing and selling the same and for the purpose or purposes for which such bonds were issued. If, for any reason, any part of such proceeds is not applied to or necessary for such purpose or purposes the board of education may transfer the balance remaining unapplied to the building and repairing account of the school district.

Validity of  
election.

(8) No action, suit or proceeding to contest the validity of the election ordering the issue of bonds shall be instituted after the expiration of twenty days from the date of the said election.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and seventeen.

Approved March 24, 1917.

## CHAPTER 112.

An Act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

I. Section one hundred and eighty-two of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, be amended so that it shall read as follows:

Section 182  
amended.

182. The board of education of each school district shall, on or before the fifteenth day of March in each year, certify to the county superintendent of schools for the county in which such school district shall be situate, and on the blanks furnished for that purpose by the Commissioner of Education, the number of teachers, who shall have been employed in the schools of such district for the full time the schools therein shall have been kept open during the then current school year, and the number of teachers who shall have been employed in said schools for a portion of said year, but for a period of not less than four months, specifying the grade in which each of such teachers shall have been employed. There shall also be certified as aforesaid the number of pupils who shall have attended a public school in a district other than that in which they reside, and for whom tuition fees shall have been paid by the board of education, specifying the grade in which each of said pupils shall have been enrolled during said year, and also the number of such pupils for whom transportation has been provided, and the cost thereof.

Report of  
district boards  
to county  
superinten-  
dent.

Pupils out-  
side district.

Apportionment of school moneys by county superintendent:

Supervising principal or city superintendent:

The said county superintendent of schools shall, on or before the first day of April in each year, apportion to the several school districts of said county the State school moneys, and the interest of the surplus revenue in the following manner:

I. (a) The sum of six hundred dollars to each district in which there shall have been employed a supervising principal or city superintendent of schools, who shall have devoted his entire time to the supervision of the schools in such district, but if two or more districts shall have united in employing a supervising principal as aforesaid, the six hundred dollars apportioned for such principal shall be apportioned among said district in the proportion that the number of teachers employed in each of said districts shall bear to the total number of teachers employed in all of the districts uniting in employing said supervising principal.

- Special teachers;

(b) The sum of five hundred dollars for each teacher employed in a special class for the instruction of blind or deaf children or for children who are three years or more below the normal.

Assistant superintendent and high school teachers of four years' course;

(c) The sum of four hundred dollars for each assistant superintendent and supervisor, other than the supervising principal, employed in the district, and each permanent teacher employed in a high school or high school department having a full four years' course of study, following a full eight years' primary and grammar school course, which high school course shall have been approved by the State Board of Education.

High school teachers of three years' course;

(d) The sum of three hundred dollars for each permanent teacher employed in a high school or high school department having a full three years' course of study following a full eight years' primary and grammar school course, which high school course shall have been approved by the State Board of Education.

Ungraded, primary, etc., teachers;

(e) The sum of two hundred dollars for each permanent teacher employed in an ungraded school, or in a kindergarten, primary or grammar department or in a high school department having a course of study of less than three full years, which course of study

shall have been approved by the State Board of Education.

(f) The sum of eighty dollars for each temporary teacher who shall have been employed for a period of not less than four months. Temporary teachers;

(g) The sum of eighty dollars for each teacher employed in an evening school for the full time such school shall have been maintained; *provided*, the board of education shall certify that said evening school has been maintained for not less than sixty-four evening sessions of at least two hours each in each year, and unless there shall be maintained at least three evening sessions each week during the school year preceding that for which the apportionment shall be made; *provided, further*, if any such teacher shall have been also employed in the day schools of the same district, the apportionment aforesaid shall be made for such teacher in addition to any amount apportioned for him as teacher in such day schools. High school teachers;  
Proviso.  
Proviso.

(h) The sum of twenty-five dollars for each pupil who shall have attended a high school or high school department in a district other than that in which he resides, and for whom a tuition fee shall be paid by the board of education. High school pupils;

(i) The sum of five dollars for each pupil who shall have attended an ungraded school or a kindergarten, primary or grammar school department, in a district other than that in which he resides, and for whom a tuition fee shall have been paid by the board of education. Pupils of ungraded, primary, etc., schools;

(k) Seventy-five per centum of the cost of transportation of pupils to a public school or schools; *provided*, that, subject to appeal as provided in section ten of the act to which this act is an amendment, the necessity for the transportation and the cost and method thereof shall have been approved by the county superintendent of schools of the county in which the district paying the cost of such transportation is situate. Three-fourths transportation;  
Proviso.

(m) The sum of three hundred fifteen dollars for each permanent teacher employed in a high school or high school department or in an intermediate school as- Permanent high school teachers;

Proviso. sociated therewith; *provided*, that such schools shall together have a full six years' course following a full six years' primary and grammar school course, and that such high school and intermediate school shall have been approved by the State Board of Education; *and provided, further*, that if in any district in addition to a high school and intermediate school as described in this paragraph there shall be another high school or schools, or high school department or departments having a full four years' course of study following a full eight years' primary and grammar school course, the apportionment for such schools shall be in accordance with subdivision (c) of this section.

Manual training teachers. In making such apportionment teachers employed in a manual training school or department in a district receiving an appropriation from the State for such manual training school or department, and who shall have devoted at least one-half of the time the schools in said district shall have been kept open to school work other than manual training, shall be regarded as temporary teachers only, but no apportionment shall be made for teachers who shall have devoted their entire time to teaching in such manual training school or department.

Apportionment on basis of days' attendance. II. He shall apportion to the several school districts of the county the remainder of said moneys on the basis of the total days' attendance of all pupils enrolled in the public schools thereof as ascertained from the last published report of the Commissioner of Education. For the purpose of such apportionment an attendance upon an evening school shall be counted as one-half day's attendance. If a school in any district shall on account of contagious disease, destruction of the school-house by fire or otherwise, or for other good reason, be closed, for the purpose of this apportionment, such school shall be deemed to have been in session, and the total days' attendance upon such school for the time it shall have been closed as aforesaid shall be determined by dividing the actual total days' attendance of the pupils enrolled in such school by the number of days such school shall have been actually in session, and mul-

Evening school deemed half day.

If closed by sickness, etc.

tipling the quotient thus obtained by the number of school days such school shall have been closed.

2. This act shall take effect immediately.

Approved March 24, 1917.

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CHAPTER 113.

An Act to authorize cities to acquire land for schools for industrial education.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for the board or body having charge of the finances of any city in this State, in which there has been established or shall hereafter be established a school or schools for industrial education, to acquire land in the corporate name of the city for the use of such school or schools, and use such land for such purpose.

Land for  
industrial  
schools.

2. This act shall take effect immediately.

Approved March 24, 1917.

## CHAPTER 114.

An Act to amend an act entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, and all amendments and supplements thereto.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 158  
amended.

1. Section one hundred and fifty-eight of the act of which this is an amendment is hereby amended to read as follows:

County de-  
tectives ap-  
pointed by  
prosecutor.

158. The prosecutor of the pleas in the several counties which now have or hereafter may have a population of more than seventy thousand and not more than three hundred thousand inhabitants may appoint suitable persons, not exceeding three in any county, to act as special officers for the detection, arrest, indictment and conviction of offenders against the law. Such persons so appointed shall possess all the powers and rights and be subject to all the obligations of constables and police officers in any county of this State, and before such person shall enter upon his duties as said officer, his appointment shall be approved by the judge of the Court of Quarter Sessions of said county, and each person so appointed shall receive in counties having a population of not less than seventy thousand and not over two hundred thousand an annual salary of not less than fifteen hundred dollars and not more than two thousand dollars, and each person so appointed in counties having a population of not less than two hundred thousand and not over three hundred thousand shall receive an annual salary of not less than eighteen hundred dollars and not more than two thousand dollars, which sum shall be fixed by the judge and prosecutor, to be paid by the county collector, in equal monthly installments out of the funds of the county.

Powers of  
constables.

Approval of  
appointment.

Salary.



2. The special officer or officers named in the next preceding section shall not be eligible to receive any increase in salary until he or they shall have served five continuous years of service as a special officer or officers in the prosecutor's office at the minimum salary as stated in the preceding section. No increase in salary, fixed by the judge and prosecutor, shall exceed more than one hundred dollars per year for each year of service over five years, and all increases shall cease when the respective maximum sum named in the preceding section are reached; *provided, however*, that any special officer who is now and has been employed in the prosecutor's office as special officer for a period exceeding five years, the judge and prosecutor may fix an increase in salary for any sum equal to one hundred dollars per year for every year of service now served over five years, which total salary shall not exceed the respective maximum sum of two thousand dollars annually, named in the next preceding section.

Years of  
service at  
minimum  
salary.

Proviso.

3. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Repealer.

4. This act shall take effect immediately.

Approved March 24, 1917.

## CHAPTER 115.

An Act to amend an act entitled "A supplement to an act entitled 'An act respecting the office of Treasurer,' approved April seventeenth, one thousand eight hundred and forty-six," which supplement was approved March twenty-seventh, one thousand eight hundred and seventy-four.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Treasurer of this State shall, prior to the entering upon the duties of his office, take and subscribe

Bond of  
State  
Treasurer.

Amount.

an oath of office, and give bond with sufficient sureties, to be approved by the Legislature, in the sum of one hundred thousand dollars, payable to the State of New Jersey, with condition for the faithful performance of the duties of his office, and for the fidelity of the person or persons to be by him employed, which oath and bond shall be deposited in the office of the Secretary of the State.

2. This act shall take effect immediately.

Approved March 24, 1917.

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### CHAPTER 116.

An Act relating to the propagation, planting, preservation and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the Board of Shell Fisheries.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Lease lands.

1. The Board of Shell Fisheries shall have power to lease to applicants therefor any of the lands of the State under the tidal waters thereof, to be exclusively used and enjoyed by such lessee for the planting and cultivating of oysters and clams; *provided, however,* that no lease or leases shall be hereafter granted to any person or persons who shall not be at the time of granting such lease or leases, and shall not have been for twelve months next preceding a citizen and actual resident of this State, but this restriction shall not apply to renewals of any lease or leases heretofore granted;

Proviso.

Proviso.

*and provided, further,* that no lands shall be leased above the southwest line in Delaware bay, nor in any creeks tributary to Delaware bay, nor any other lands under the waters of Delaware bay, Raritan bay, Raritan river or Sandy Hook bay which by any existing law

of this State it is not now made lawful to lease for such purposes, nor the graveling beds at the mouth of Mullica river, Parker's beds in Parker's cove, Forked river beds, Cedar creek beds and Sloop creek beds in Barnegat bay nor Shrewsbury river and both branches thereof below Geuyon's Point on the north branch and Little Silver on the south branch.

2. The Board of Shell Fisheries shall fix and determine the term for which leases may be granted, not exceeding thirty years, the rental to be paid for the grounds described therein, the maximum size of any single ground to be hereafter leased, and the total acreage which may be hereafter leased to any person or persons.

Period of  
rentals.

3. The Board of Shell Fisheries shall, from time to time, cause the lands leased as aforesaid to be measured, and the metes and bounds thereof ascertained and located by ranges, monuments or other means, so that the limits of the lands embraced within such leases may be accurately fixed and easily located; the Board of Shell Fisheries shall cause such leased lands to be mapped, and the said maps to be filed in the office of the Board of Shell Fisheries and copies thereof to be filed in the office of the Department of the Maurice River Cove, and the offices of the Department or Divisions of the Atlantic Coast, respectively, and shall also cause the leases so made and assignments and transfers thereof to be recorded in books kept in the offices of said departments or divisions, respectively; and no assignment or transfer of any ground or lease therefor shall be valid unless the same be approved by the Board of Shell Fisheries and forthwith recorded in the office of the department or division in which the leased land is located; the expense of surveying, measuring, locating and mapping any ground or grounds to be paid by the applicant therefor before he shall be entitled to a lease or leases for the same.

Boundaries  
fixed.

Lands  
mapped.

Leases, etc.,  
recorded.

Transfers.

Expenses met  
by applicant.

4. The Board of Shell Fisheries before issuing any lease to any person as provided for in this act, and before approving any assignment of a lease, shall cause the person applying for such lease or for approval of

Oath pre-  
scribed for  
applicant.

an assignment thereof, to make and file with them an oath that he is a citizen and actual resident of this State, and has been such citizen and actual resident for twelve months next preceding said application.

Taking oysters and clams from spawning ground.

5. Any person who shall catch or take oysters or clams from any of the natural oyster beds or grounds mentioned in section one of this act, where oysters naturally spawn and grow under the tidal waters of this State, except during the months of May and June, and then between sunrise and sunset only, shall be guilty of a misdemeanor; *provided*, that this section shall not apply to the beds, creeks and rivers named in section nine of this act nor Raritan bay or Sandy Hook bay nor in the Mullica river north of Deep Point; Mott's creek and Oyster creek in Atlantic county; Cedar creek, Clam creek and Potter's creek in Ocean county and Shark river and Shrewsbury river and both branches thereof in Monmouth county.

Proviso.

Licensed to take oysters and clams.

6. No person shall catch or take oysters or clams by means of tongs, rakes or forks from any of the natural oyster or clam grounds in the waters of this State, without first obtaining a license from the Board of Shell Fisheries and paying therefor a license fee to be fixed by said Board of Shell Fisheries, from time to time, at a sum not less than two dollars and fifty cents or more than ten dollars; each license so granted shall be for the term of one year from the first day of January of the year of issue, and shall be under the hand and seal of a chief of one of the departments or divisions of said Board of Shell Fisheries; each license so granted shall be numbered and shall state the name and residence of the persons to whom the same is granted, and a record thereof shall be kept by said chiefs of departments and divisions, respectively. Each person so licensed shall, at all times while engaged in operating under such license, display in plain view upon the port bow of his boat the number of such license in black figures at least five inches in length and one inch in width, and shall have such license on his person and shall exhibit the same for inspection to any member of said Board of Shell Fisheries or any officer or employee thereof, or

Fee.

Conditions of license.

License number displayed.

other person requesting to see the same; *provided*, that this section shall not apply to the seaboard waters of Atlantic, Cape May and Ocean counties for the catching of clams on grounds set apart for that purpose. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Proviso.

Penalty.

7. Said Board of Shell Fisheries are hereby authorized to grant such license to any applicant upon presentation of satisfactory evidence that said applicant is a citizen of this State and has been a citizen and actual resident of this State for a period of twelve months next preceding the date of said application, and upon the payment of the license fee so fixed as aforesaid by said Board of Shell Fisheries, which license shall grant to the applicant the privilege of taking oysters or clams upon any natural oyster bed or clam ground of this State, except such as may be reserved for leasing purposes by said Board of Shell Fisheries, under this act or under any other existing law of this State.

Citizenship of applicant.

Privilege granted by license.

8. It shall be unlawful for any person or persons to use, or cause to be used, any dredge with bag or pocket, drag or scrape upon any of the natural oyster or clam beds under the tidal waters of the Atlantic seaboard of the State of New Jersey and tributaries thereto, except Delaware bay, and no license shall be issued by the Board of Shell Fisheries contrary to the provisions of this section; *provided, however*, that this shall not be held to prohibit the use of any fork, hoe or drag used by hand in the taking of soft clams; *and provided, further*, that this section shall not prohibit the catching of oysters with hand-power dredges from the natural oyster grounds of this State north of Shrewsbury river; any person or persons violating any of the provisions of this section shall be guilty of a misdemeanor.

Certain processes of taking forbidden.

Proviso.

Proviso.

9. It shall be unlawful for any person or persons to use, or cause to be used, any dredge, drag, scrape or other instrument, except hand-tongs, for the purpose of catching oysters from the following-named beds, creeks and rivers of the State of New Jersey, along the shore of Delaware bay, viz.: Elder Point beds, Andrews ditch beds, East Point beds, the High beds, Pepper beds,

Where hand tongs to be used.

Dividing creek beds, Oronoken beds, Nantuxet creek beds, Beach creek beds, Goshen creek, Dennis creek, East creek, West creek, Dividing creek, Oronoken creek, Straight creek, Fishing creek, Oyster creek, Fortescue creek, Beaden's creek, Sow and Pigs creek, Dare's creek, Padgett's creek, Nantuxet creek, Cedar creek, Back creek, Middle marsh creek, Stow creek, Bidwell's-ditch, Nantuxet beds at the mouth of Nantuxet creek, Back creek beds at the mouth of Back creek, Cohansey beds at the mouth of Cohansey river, and Maurice river and Cohansey river; and no license shall be issued by the Board of Shell Fisheries contrary to the provisions of this section; any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

Penalty.

Closed season.

10. It shall be unlawful for any person or persons to gather, scrape, rake or tong any oysters in or upon the beds, rivers or creeks of the State of New Jersey named in section nine of this act for and during the period from the thirtieth day of June until the first day of September in each and every year; *provided*, this section shall not apply to the beds at the mouth of and in Maurice river, from which it shall be lawful to take oysters between sunrise and sunset at any time.

Proviso.

Certain unlawful acts.

11. Any person or persons who shall hereafter go upon, take or remove any oysters, clams or other material, dredge upon, throw, cast or drag an oyster dredge or use oyster tongs, rakes, forks or any other instrument or appliance used for catching oysters or clams, or shall tread for clams, upon any of the leased lands of the State lying under the tidewaters of the Atlantic seaboard, or tributaries thereof, above Cape May Point of the State of New Jersey other than land or ground for which such person then holds a lease from the Board of Shell Fisheries or under the employ of such lessee, shall be guilty of a misdemeanor.

Culling immediately after emptying tongs.

12. All oysters, oyster shells and other material dredged, tonged or in any manner raised or taken from any of the beds and grounds above what is known as the southwest line in Delaware bay, or from any natural oyster bed or ground,

shell bed or reef, where oysters naturally spawn and grow under the tidal waters of the State of New Jersey, shall be culled as soon as the same are emptied out of the tongs or dredges on the culling board or deck of the boat or vessel employed for the purpose, and before the same are shoveled back from the culling board or portion of the deck used for emptying the tongs or dredges; and all shells and other material, except oysters and clams, shall be immediately thrown back upon the beds or grounds from which the same shall have been taken; all such oysters, oyster shells and other material shall be culled as aforesaid so closely that three bushels thereof taken from any portion of a deck load of oysters, after the same shall have been shoveled back from the culling board or that part of the deck used for emptying the tongs and dredges aforesaid, shall not contain more than fifteen per centum of shells and other material; and if any person or persons shall neglect or refuse to cull as aforesaid all such oysters, oyster shells and other material, he or they shall be guilty of a misdemeanor; when the master, commander, captain or person in charge of any boat, vessel or other craft licensed under the provisions of this or any other act to engage in the business of catching or taking oysters from the waters of this State, or any person holding a tonger's license, is hailed, or signaled by any officer of the Board of Shell Fisheries and refuses to stop and permit any officer or officers of said Board of Shell Fisheries to board his or their boat, vessel or other craft and examine the oysters, oyster shells and other material on such boat, vessel or other craft as aforesaid, the said Board of Shell Fisheries shall have power to revoke the license of such boat, vessel or other craft and revoke the license of the tonger so refusing as aforesaid.

Culled material thrown back.

Percentage of shells.

Neglecting to cull.

Revocation of license of boat and tonger.

13. The following acts and parts of acts are hereby repealed:

Sundry acts repealed.

(1) An act entitled "An act to promote the propagation and cultivation of seed oysters, and to protect the natural oyster seed grounds of this State," approved

March twenty-first, one thousand eight hundred and ninety-nine (P. L., p. 160).

(2) An act entitled "An act for the better preservation of the oyster industry in the creeks and rivers along the shores of Delaware bay and Maurice River Cove and the tidewaters of the Atlantic seaboard of the State of New Jersey," approved March twenty-third, one thousand nine hundred (P. L., p. 475).

(3) An act entitled "An act for the better protection and preservation of the oyster industry in the creeks and rivers along the shores of Delaware bay and Maurice River Cove," approved May eleventh, one thousand eight hundred and ninety-seven (P. L., p. 355), and the amendment thereof, approved March twenty-third, one thousand eight hundred and ninety-nine (P. L., p. 265).

(4) An act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the preservation of clams and oysters" (Revision), approved April fourteenth, one thousand eight hundred and forty-six,' which said supplement was approved April eleventh, one thousand eight hundred and ninety-four" (P. L., p. 333), and the amendment thereof, approved March twenty-fourth, one thousand eight hundred and ninety-nine (P. L., p. 333).

(5) An act entitled "An act to protect the planting and cultivating of oysters in the tidewaters of the county of Ocean," approved May eleventh, one thousand eight hundred and eighty-six (P. L., p. 343).

(6) An act entitled "An act for the regulation, protection and control of the planting, cultivating and gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth," approved March seventh, one thousand nine hundred and five (P. L., p. 27).

Repealer.

(7) All acts and parts of acts inconsistent herewith are hereby repealed.

14. This act shall take effect immediately.

Approved March 24, 1917.



## CHAPTER 117.

An Act to amend an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April ninth, one thousand nine hundred and thirteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section twenty-two of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 22 amended.

22. The school year for a county vocational school shall begin on the first day of July and end on the thirtieth day of June. Vocational school year.

2. This act shall take effect immediately.

Approved March 24, 1917.

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CHAPTER 118.

An Act to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close season for such capture and possession (Revision of 1903)," approved April fourteenth, nineteen hundred and three.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section twenty-four of the act of which this act is amendatory be and is hereby amended so as to read as follows: Section 24 amended.

Penalty for  
dog running  
at large.

24. If any dog is found running at large in the woods or fields, except during the open season now or hereafter provided for killing of quail, rabbit, squirrel, English or ring-necked pheasants, ruffed grouse, prairie chicken, wild turkey or Hungarian partridge, the owner, lessee or custodian of such dog shall be liable to a penalty of twenty dollars for each offense. It shall be unlawful for any person to go into the woods or fields with a hound or firearm, except only during the open season now or hereafter provided for killing the above-mentioned game birds or game animals, under a penalty of twenty dollars for each offense.

Penalty for  
going into  
field with  
dog or gun.

Proviso.

*Provided*, that the owner, lessee or custodian of any dog may go into the woods or fields with such dog without firearms for the purpose of exercising or training said dog in daylight from the first day of September to the first day of the open season for killing the above-mentioned game birds or animals, except during the open season for deer; *and further provided*, that the Board of Fish and Game Commissioners is hereby authorized to issue in its discretion to properly accredited persons permits to hunt foxes with hound and firearms from the last day of the open season for killing the above-mentioned game until the thirty-first day of March, or to hunt foxes with hounds and horses and to drag hunt at all times; *and further provided*, that this act shall not apply to hunting deer, woodcock, snipe, rail, mud hen and water fowl at the time and in the manner provided by law; *and further provided*, that this act shall not apply to hunting raccoon with dogs and firearms between sunset and sunrise, from the first day of October to the fifteenth day of December, both dates inclusive, of each year; *and provided, further*, that nothing in this act shall prevent any owner, lessee or custodian of any dog going into the woods or fields with such dog, without firearms, at any time of the year, if such dog is not allowed to hunt or pursue any game, and if such dog is under the immediate control and command of such owner, lessee or custodian; *provided, further*, that nothing in this act shall prohibit the killing

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

of crows, hawks and vermin at any time of year when in the act of destroying poultry or grain.

2. This act shall take effect immediately.

Approved March 24, 1917.

## CHAPTER 119.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The provisions of the act of Congress, approved February twenty-third, one thousand nine hundred and seventeen, entitled "An act to provide for the promotion of vocational education; to provide for co-operation with the States in the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the States in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditure," are hereby accepted by the State of New Jersey.

Provisions  
of act of  
Congress  
accepted.

2. The State Board of Education is hereby designated as the State board for the purposes of said act of Congress, and is hereby empowered and directed to co-operate, as in said act provided, with the Federal Board for Vocational Education in the administration of the provisions thereof. Said State board is hereby empowered and directed to do all that is or may be required to secure for the State of New Jersey the benefits of the appropriations under said act of Congress for each and every purpose specified therein.

State Board  
of Education  
empowered  
to act.

Custodian of funds.

Disbursements.

State appropriation for vocational training.

Use of funds.

Appropriation for agricultural subjects.

3. The State Treasurer is hereby appointed custodian for all money paid to the State from appropriations under said act of Congress. He shall receive and provide for the proper custody of same. He shall disburse same upon the warrant of the State Comptroller when such disbursement has been certified, by the State Board of Education.

4. To secure for the State the maximum appropriation under said act of Congress for the training of teachers of vocational subjects as therein provided there shall be appropriated each year from any money in the State treasury not otherwise appropriated a sum not less than the maximum which the State can receive under said act of Congress for the ensuing school year for such purpose. Such sum shall be used by the said State Board of Education for the training of teachers of vocational subjects in accordance with said act of Congress in one or more of the State schools or colleges or institutions under State control.

5. To secure for the State the advantages under said act of Congress for the supervision of agricultural subjects as therein provided, there shall be appropriated each year, from any money in the State treasury not otherwise appropriated, a sum not less than one thousand dollars (\$1,000), which sum shall be expended for the salary or salaries of teachers, supervisors or directors of agricultural subjects, in accordance with the terms of the said act of Congress.

6. This act shall take effect immediately.

Approved March 24, 1917.

## CHAPTER 120.

An Act to amend an act entitled "An act to provide for a supplement to the compiled statutes of New Jersey," approved March fifteenth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section four of an act entitled "An act to provide for a supplement to the compiled statutes of New Jersey," approved March fifteenth, one thousand nine hundred and sixteen, be and the same is hereby amended to read as follows:

Section 4  
amended.

4. Upon delivery to the State House Custodian of five hundred copies of said supplement to the compiled statutes of New Jersey, bound in law buckram, the said delivery to be not later than the month of June, one thousand nine hundred and seventeen, the State Treasurer, upon proper warrant of the State Comptroller, hereby is authorized and directed to pay for the said copies at the rate of three-quarters of a cent per page per copy, two-thirds whereof shall be paid to the publisher of said work and one-third to the editor of said work appointed by said commission. Said copies shall be distributed in the same manner as the Law and Equity Reports are now required to be distributed, and one copy to each member of the present Legislature.

Delivery and  
payment.

Distribution.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 26, 1917.

## CHAPTER 121.

An Act to amend an act entitled "An act concerning evidence" (Revision of 1900).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 38  
amended.

Notice of ap-  
plication for  
commission  
to examine  
witnesses.

1. Section thirty-eight of the act to which this act is amendatory is hereby amended so as to read as follows:

38. A party intending to apply for a commission to examine a witness or witnesses in any cause shall give eight days' notice of such application, and of the name or names of the witness or witnesses to be examined, and of the place of his or their residence, and also of the name or names of the person or persons whom the party applying intends to nominate as commissioner or commissioners, and shall serve therewith a copy of the interrogatories intended to be annexed to the said commission, in order that the adverse party may examine the same and submit cross-interrogatories if he think proper; the notice mentioned in this section shall be served on the attorney or solicitor, when the party appears by attorney or solicitor; *provided*, that when the defendant or respondent has defaulted in pleading, and the plaintiff, complainant or petitioner has become entitled to proceed ex parte, no notice of application, names of witnesses or place of their residence, or names of persons to be nominated as commissioners, or copies of interrogatories, need be served.

Proviso.

2. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 122.

An Act to amend an act entitled "An act concerning evidence" (Revision of 1900).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section thirty-one of the act to which this act is amendatory is hereby amended so as to read as follows: Section 31 amended.

31. If any material witness in an action or suit of a civil nature, or any material witness for any defendant in any indictment pending in any of the courts of this State, be in this State, but is ancient or very infirm, or is sick, or is about to go out of this State, then the deposition of such witness may, at the option of either party, in such civil suit, or at the option of the defendant in such indictment, be taken de bene esse before any justice of the Supreme Court, or judge of the Court of Common Pleas, or Supreme Court commissioner, or master in Chancery; *provided*, that the officer before whom the deposition is to be taken shall cause notice to be given to the adverse party immediately, or at such short day as the case in the opinion of the said officer may require, to attend and be present at the taking thereof, and to put questions and cross-examine, if he shall think fit; *provided, further*, that when the defendant or respondent has defaulted in pleading, and the plaintiff, complainant or petitioner has become entitled to proceed ex parte, the notice required by the last above proviso need not be given. Deposition de bene esse.

2. This act shall take effect immediately. Proviso.

Approved March 26, 1917. Proviso.

## CHAPTER 123.

An Act to incorporate the borough of Keansburg, in the county of Monmouth.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Portions of  
Middletown  
and Raritan  
townships  
incorporated  
as Keansburg.

1. The inhabitants of those portions of the townships of Middletown and Raritan, in the county of Monmouth, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the borough of Keansburg, and shall be governed by the general laws of this State relating to boroughs.

2. The territorial limits of said borough shall be as follows:

Boundaries  
of borough  
of Keans-  
burg set out.

Beginning at a point in Raritan bay, where the pier-head line of the Federal Government is intersected by the westerly side of the right of way or street designated as Carr place in the tract or development entitled Ideal beach prolonged; thence

I. Continuing along said line, generally southwesterly across beach and bulkhead, to and across Bayside parkway and on westerly side of Carr place into its intersection with the northerly side of Park avenue prolonged in said Ideal beach; thence

II. Along the northerly side of Park avenue aforesaid 200'-0" more or less to its intersection with the continuation of the westerly side of the street in same tract entitled Atlantic avenue; thence

III. Generally southerly along the westerly line of said Atlantic avenue in Ideal beach, to its intersection with the continuation of a line 100'-0" south of and parallel to the southerly side of the public road leading from Keansburg to Port Monmouth known as the Port Monmouth road; thence



IV. Generally westerly, to and along said lines or boundary continuously to its intersection with a north and south line 400'-0" east of and parallel to the easterly side of Main street, being the boundary between Raritan and Middletown townships; thence

V. From said point, southerly to and along said line or boundary, to and across the tracks of the Central R. R. of New Jersey and of the Jersey Central Traction Co.; and thence

VI. Continuing along said line, 400'-0" distant easterly from and parallel to Palmer avenue to its continuation on a line 100'-0" east of the easterly side of Euclid avenue, in the Palmer avenue section, so-called; thence

VII. Along the westerly limit or boundary of the above-named section 300'-0" more or less, to its intersection with a north and south line, distant 100'-0" east of and parallel to the easterly side of the said Palmer avenue; thence

VIII. Southerly along the above north and south line, to its intersection with the line of the northerly boundary of the property of George Leonard, prolonged across Palmer avenue including both sides of the right of way, called locally Leonard's lane; thence

IX. Generally westerly along the continuation of said property line or boundary to and across Palmer avenue, and to where it intersects with the main stream or channel of Waackaack creek.

(All the lines in the last-named section are as shown and herewith described on a "Map of Keansburg, in Raritan and Middletown townships, Monmouth county, State of New Jersey, drawn from surveys by Frederick W. Moore, map engineer, copyrighted in 1915-16.

X. Thence, following the center of the main channel of the said Waackaack creek, in all its windings and turnings, including all islands, marshes, rivulets, branches and embankments to the east of the said main channel line and continuing past the junction of Thorn's creek unto its intersection with the pierhead line in Raritan bay; thence

XI. From the intersection of said boundary with the pierhead line established by the Federal Government, Department of War, generally easterly and southerly along said pierhead line all the several courses and distances thereof to its intersection with the line of the westerly side of Carr place prolonged in the Ideal beach tract or development, being the place or point of beginning.

Including  
certain lands  
under water.

Together with all lands under waters of said Raritan bay, extending from the herein described pierhead line as now established or may be established by the Riparian Commissioners of the State of New Jersey.

Exceptions.

Save and excepting only all those areas and reservations of the Federal Government, Department of Commerce, Bureau of Lighthouses, in their entirety and with all buildings, structures, bulkheads, appurtenances and rights of way leading to same, known and designated as Waackaack Beacon Reservation and Point Comfort, sometimes called Bayside Beacon Reservation, same to be as now administered, with all right and easements now in full force, to be specifically excepted from the operations and effect of this act.

Referendum.  
Special  
election.

3. This act shall not become operative until its provisions shall be submitted to the voters of the above-described territory, at a special election to be held within the said territory, and at said election adopted by a majority of the legal voters residing within the said territory on the day of said special election. Said special election shall be held within the said territory within thirty days from the passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election and at a place within the said territory, which place and day are to be fixed by the clerk of the township of Raritan in the county of Monmouth. The clerk of the township of Raritan shall cause public notice of the time and place of the holding of the said election, to be given by advertisements signed by himself and set up in at least five public places within said described territory, and published in at least one newspaper circulating therein, at least ten

Notice of  
election.

days prior to such election, and the said clerk shall provide for the electors voting at such election ballots, to be printed or written, or partially written and partially printed, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto, make an X mark in the square to the left of and opposite the word "No."

Question  
submitted.

	Yes.	Shall an act entitled "An act to incorporate the borough of Keansburg, in the county of Monmouth," be adopted?
	No.	

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it shall be counted as a vote in favor of such proposition.

Voting.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No," it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes" or "No," it shall not be counted as a vote for or against such proposition.

Such election shall be held at the time and place so appointed and shall be conducted by the officers of the election district of said township of Raritan wherein that portion of the foregoing described territory of the township of Raritan is located, but no special form of ballot and no envelope need be used by any voter at said election. The officers holding such election shall within two days after such election make two returns, one to the township committee of the township of Raritan, and the other to the township committee of the township of Middletown, of the result of such election by statements

Election,  
how con-  
ducted.

Returns to  
township  
committees.

in writing and under their hands, and the same shall be entered at length upon the minutes of each of the said township committee, and upon its adoption by a majority of said electors as aforesaid, and not otherwise, this act shall in all respects be operative.

Registry.

4. The register of voters within said described territory to be used in the conduct of such special election shall be prepared and made up by the board of registry and election of the said township of Raritan which conducted the general election next preceding the holding of such election in said township in the election district of said township of Raritan wherein that portion of the foregoing described territory of the township of Raritan is located, and for that purpose the said board shall meet at such place within said described territory and at such time as shall be designated by the clerk of the township of Raritan at least one week preceding said special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Raritan by posting notices thereof in at least five of the most public places in said described territory, at least five days prior to said meeting. Said meeting of the board of registry and election for the making up of said new register of voters shall begin at one o'clock in the afternoon and continue until nine o'clock of the evening of the day fixed for that purpose, and said board shall insert in said new register the names of all persons who are legal voters within said territory at the time of the passage of this act and who shall appear in person before them and establish to the satisfaction of the majority of said board that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said territory at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said territory to be entitled so to vote. A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him, and on the following day one copy of said register shall be mailed to the chairman of the county board of elections of Monmouth county, to be filed by

Notice of  
registration  
day.

Make new  
register.

Separate  
affidavits.

said board, and one copy shall be retained for the use of said township board of election at such special election.

5. Immediately after the two statements of the result of such election shall be made to the township committees of the said townships of Raritan and Middletown, another copy of said statement, certified by the clerk of the township of Raritan, shall be filed by him in the office of the county clerk of the county of Monmouth.

Result filed  
with county  
clerk.

6. Within ten days after a copy of the statement of said election has been filed with the county clerk of the county of Monmouth, and in case it is shown by said statement that this act has been adopted by the voters of said territory as aforesaid, the said county clerk shall call another special election, to be held within said territory, within thirty days from the date of the filing of the said statement in his office, for the purpose of electing a mayor, six councilmen, an assessor, a collector and one justice of the peace, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and seven o'clock P. M. on a day and at a place within said territory, to be fixed by said county clerk; and of the time, place and purpose of said special election said county clerk shall give public notice by advertisements, signed by himself, and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election. Said county clerk shall provide for the electors voting at such election, ballots, to be printed or written, or partly printed and partly written, on which shall appear the names of all candidates for said offices who shall have been nominated by petition of at least five voters residing within said territory and appearing on the said election register used at the special election held for the adoption of this act. Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least three

Special  
election for  
municipal  
officers.

Notice of  
election.

Ballots.

Petitions of  
nominations.

Election;  
how con-  
ducted.

Register  
of voters.

Returns.

Continuance  
of officers  
elected.

days prior to said election. Such election shall be held at the time and place so appointed by said county clerk, and shall be conducted by the said officers of the said election district of the said township of Raritan, but no special form of ballot and no envelope need be used by any voter at said election. The register of voters to be used at said election shall be the same as that used at the special election provided for in sections three and four hereof. The officers holding said election shall make return thereof to the county clerk of the county of Monmouth of the result of such election, and the officers elected at said election, on the filing of said return, shall be and become the officers of the said borough, and shall continue in office until the first day of January following said special election, and until other officers have been elected by the voters of said borough, and shall have qualified as required by law.

7. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 124.

A Supplement to an act entitled "An act relative to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1908)," approved April fourteenth, one thousand nine hundred and eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Prosecutor  
of certain  
counties to ap-  
point special  
officer.

1. The prosecutor of the pleas in the several counties of this State having a population of not less than forty thousand and not more than fifty thousand inhabitants may appoint a suitable person in any county to act as special officer, for detection, arrest, indictment and conviction of offenders against the law, said appoint-

ment to be approved by the judge of the Quarter Sessions Court in the respective counties of this State. Such person so appointed shall possess all the powers and rights of and be subject to all the obligations of constables and police officers in any county of this State, in criminal matters only, and shall receive an annual salary not exceeding twelve hundred dollars, to be paid by the county collector in equal monthly installments out of the funds of the county, the salary to be fixed and the expenses of such officer to be approved by the prosecutor of the pleas and the judge of the Quarter Sessions Court of each county, and be paid by the county collector out of the funds of the county.

Duties.

Salary.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 26, 1917.

## CHAPTER 125.

An Act to establish in and for the State of New Jersey a Department of Architecture, to provide for its maintenance, to define the powers and duties of the State Architect.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. That there is hereby established a Department of Architecture, charged with the duties and powers herein provided or which may hereafter be enacted relative to architectural work for the various departments and commissions of the State.

Department of Architecture established.

2. That the chief officer of said department, to be denominated the "State Architect," shall be appointed by the Governor by and with the advice and consent of the Senate, and shall hold office for the term of five

Chief appointed by Governor.

Term.

	years, beginning on the first day of April, one thousand nine hundred and seventeen, and until his successor shall be appointed and confirmed, unless sooner removed by the Governor for cause; the person so appointed to the office of State Architect shall be from among the legally registered architects, citizens of the State of New Jersey, who shall have practiced architecture for at least ten years, and he shall receive an annual salary of four thousand dollars, to be paid monthly by the State Treasurer on a warrant of the Comptroller.
Qualifications.	
Salary.	
Duties.	3. The State Architect shall exercise and perform all architectural powers and duties hereinafter set forth, and shall, in addition, be vested, subject to the review of the State House Commission, with the duty of professionally conducting all State building operations and constructive works allied thereto, other than the ordinary repairs and renewals which constitute maintenance.
Drawings and specifications.	He shall prepare all drawings, specifications and building contracts, determine the kind and quality of materials to be employed, decide upon all constructive problems, interpret the meaning of all drawings and specifications, and adjudicate technical disputes between the State and its contractors.
Advisers.	He may employ such technical advisers and associates as the work of his office necessitates within appropriation, provided, that the State House Commission shall approve of the employment of such technical advisers and associates.
Assistants.	He may employ, under the provisions of the Civil Service act, such assistants, draughtsmen, inspectors and clerical help as may be necessary to properly conduct the work of his office within appropriation provided.
Assist other departments.	Upon the authorization and instruction of the State House Commission he shall at all times render the assistance of his office to all State departments in the design, location and arrangement of all public works calling for architectural treatment, their approaches and appurtenances, and shall approve the design of all such features thereof as are susceptible of architectural treatment.



4. The State House Commission shall provide the State Architect with suitable offices in or near the State House at Trenton, New Jersey.

Office.

5. No payment shall be made on any contract for work done for the State requiring architectural treatment, except upon certificate of the State Architect to the Comptroller, setting forth that the drawings and specifications have been complied with, endorsed by the State House Commission and the commission, board or body to which the appropriation was made.

Payments to be certified.

6. All specifications and contract drawings made by the State Architect shall be signed by him and approved by the State House Commission and the commission, board or body to which the appropriation was made. When so signed and approved no other body shall have power to change or modify such specifications or drawings, except that the State Architect may at any time during the progress of the work, with the approval of the State House Commission, make necessary additions to or deviations from the amount thereof; *provided*, that the sum appropriated for the said work is not thereby exceeded.

Approval of plans and specifications.

Proviso.

7. The State Architect may, with the approval of the State House Commission, at a time to be fixed by them, select by competition from among the architects legally registered in the State an associate architect to design any specific building or structure, the cost of which shall exceed one hundred thousand dollars.

Select architect for specific work.

The designs of the competitors shall be judged by a jury of three disinterested architects, one selected by the State House Commission, one by the competitors, and the two so chosen shall select a third judge.

Competitive designs.

Should the jury discover among the competitors any whose designs indicate an ability to solve the problems acceptably, it shall certify its first choice to the State Architect, and the competitor so certified shall be appointed by the State Architect as his associate to design the specific building or structure competed for.

Competitor chosen.

8. All advertising incidental to the awarding of contracts for building operations or constructive work allied thereto shall be placed by the State Architect and paid

Advertising.

Receiving  
and opening  
proposals.

for by the commission, board or body to which appropriation to cover such work or operation shall have been made. All proposals for such operations shall be received at the State Architect's office, in the presence of the commission, board or body to which appropriation to cover such work or operation shall have been made, and there publicly opened and read, the award being made within fourteen days thereafter by the State House Commission.

Repealer.

9. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

10. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 126.

An Act directing the Governor to assist the Government of the United States in the present crisis and authorizing him to provide for the public safety.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

State assistance for  
the federal  
government.

1. The Governor is hereby directed to render to the Government of the United States, in the present crisis, and to provide for the public safety, any assistance within the power of the State, and to that end he is authorized to organize and employ any and all resources within the State, whether of men, properties or instrumentalities, and to exercise any and all power convenient or necessary in his judgment to render such assistance.

Duties of  
public officials.

2. It shall be the duty of every public official in the State to furnish the Governor whatever information and assistance he may require in the execution of this act.

3. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 127.

An Act authorizing cities fronting upon navigable waters in this State to establish municipal docks, warehouses, ferries, terminals and shipping and industrial facilities, and to operate or lease the same in whole or in part, and authorizing such cities to acquire the lands and other property and to construct the buildings, wharves and other improvements and to provide the equipment necessary for such purpose, and to authorize such cities to raise money for all the purposes of this act without regard to debt limits heretofore established.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Any city fronting upon the navigable waters of this State is hereby authorized to establish docks, warehouses, ferries, terminals and shipping and industrial facilities in such city and upon adjoining lands under water, and to construct, establish, maintain and operate or to lease to lessees for a term of years, in whole or in part, such docks, warehouses, ferries, terminals and shipping and industrial facilities, including piers, bulkheads, slips, basins, industrial buildings and other structures and improvements (all the foregoing, together with the lands and lands under water upon which the same may be located, being hereinafter collectively referred to as an "industrial terminal"), and for that purpose to use any available lands owned by such city and to acquire such other lands and rights in lands, including lands now or formerly under water, as may be necessary for the purpose. Such city shall have power to acquire in fee simple all the lands, lands under water and all other property, easements, rights and appurtenances necessary

Build docks  
and provide  
shipping  
facilities.

Use available  
lands.

Acquire land  
and rights.

to carry out the purposes of this act by purchase, condemnation or grant.

Referendum.

2. This act shall take effect immediately, but its provisions shall remain inoperative in any city of this State until adopted by the legal voters of such city, in the manner herein provided, at a general or special election held in such city at such time as may be fixed by resolution of the governing body of such city. If the governing body shall decide to submit this act to the voters at a general election, the city clerk of the city shall, on or before the first day of October preceding such general election, request the county clerk to cause to be printed upon the official ballots to be used in the city at such general election, and the county clerk shall cause to be printed thereon, the following words: "Mark an X with black ink or or pencil in the square at the left of the words which express your vote."

If question  
voted on at  
general elec-  
tion.

Voting.

For adoption by the city of (fill in name of city) of chapter (fill in chapter number) of the Laws of 1917, being "An act authorizing cities fronting upon navigable waters in this State to establish municipal docks, warehouses, ferries, terminals and shipping and industrial facilities, and to operate or lease the same in whole or in part, and authorizing such cities to acquire the lands and other property and to construct the buildings, wharves and other improvements and to provide the equipment necessary for such purpose, and to authorize such cities to raise money for all the purposes of this act, without regard to debt limits heretofore established."

Question  
printed on  
ballot.

Against adoption by the city of (fill in name of city) of chapter (fill in chapter number) of the Laws of 1917, being "An act authorizing cities fronting upon navigable waters in this State to establish municipal docks, warehouses, ferries, terminals and shipping and industrial facilities, and to operate or lease the same in whole or in part, and authorizing such cities to acquire the lands and other property and to construct the buildings, wharves and other improvements and to provide the equipment necessary for such purpose, and to authorize such cities to raise money for all the purposes of this act, without regard to debt limits heretofore established."

Each voter shall mark his vote in the square upon such ballot with black ink or pencil. The board of registry and election shall canvass said votes and include a

Statement  
of result.

Canvass.	statement of the result of such canvass in the return of the results of the general election which they are now required by law to make to the city clerk. The said clerk shall canvass the returns thus filed with him and ascertain the total number of votes cast in the city for, and the total number of votes cast against, the adoption of this act, and if the number of votes cast for adoption shall exceed the number of votes cast against adoption, this act shall forthwith go into effect in such city.
If question voted on at special election.	If the governing body of the city shall decide to submit the adoption of this act to the voters of the city at a special election, the city clerk of such city shall forthwith call an election to be held on the day fixed by the governing body and shall give public notice of the time and place of holding such special election by advertisement signed by himself setting forth a copy of this act, posted in at least five different places in the city and published in at least one newspaper (to be designated by the governing body of the city) printed and published in the city, and if no newspaper is printed or published in the city, then in a newspaper (to be designated by the governing body of the city) circulated therein, for at least six days previous to the time of
Ballots.	such special election; the said clerk of such city shall provide ballots for each voter at such special election, to be printed upon plain, substantial white paper, which shall contain the same words as those hereinbefore provided, to be added to the ballots for use at a general election. Such special election shall be held at the usual place of holding the general election of such city. The polls shall remain open during the usual hours and every such special election shall be conducted by the same election officers for the time being, in the manner prescribed by law regulating elections in such city, and such officers shall report to the city clerk a true and correct statement in writing under their hands of the
Election, how conducted.	results of such special election, and it shall be the duty of the city clerk to certify and report the same to the governing body of the city at its first meeting thereafter, and such certificate and report shall be entered at large in the minutes of such governing body. Where-
Results.	

upon, if it is found that the majority of the votes cast are in favor of the adoption of this act, this act shall forthwith go into effect in such city.

3. After the adoption of this act by the legal voters of any city, the governing body of such city may submit to the Board of Commerce and Navigation of this State a map or plan showing the general location of the proposed industrial terminal and substantially the boundaries of the uplands and lands under water proposed to be acquired therefor. If such map or plan shall be approved by such board, the governing body of the city may then proceed to acquire in the name of the city, by purchase, condemnation or grant, so much of the uplands and lands under water substantially shown upon such map or plan as may be necessary for the industrial terminal and as are not owned by the city. Either simultaneously with the submission of the map or plan aforesaid, or subsequently thereto, the governing body of the city may submit to said Board of Commerce and Navigation general plans for the erection of the industrial terminal, and if such plans shall be approved by such board the governing body of the city may then provide for the erection in accordance with the plans aforesaid (which may be modified from time to time with the consent of the city and with the approval of said Board of Commerce and Navigation) of the necessary improvements and the acquisition of the necessary equipment for the industrial terminal by one or more contracts. Any such contracts, when the expenditure by the city is to be more than two thousand dollars (\$2,000), shall be advertised in the same manner as contracts for public buildings in such city are now required to be advertised, and shall be let to the lowest responsible bidder. After such improvements and equipment shall have been completed and acquired the governing body of the city shall have the exclusive right of control of the industrial terminal and shall have charge and control of the maintenance, repair, strengthening, protecting, improving, extending, operating and leasing of the industrial terminal and every part thereof, and of the cleaning, dredging and maintaining of all chan-

Location of  
industrial  
terminal  
shown.

Acquire land.

Plans for  
erection.

Contracts.

Control of  
terminal  
and property.

Extent of jurisdiction.	nels and waterways connecting with or adjacent to the same; and said governing body is hereby invested with the exclusive government and regulation of all the property acquired or constructed, and also of all the channels, slips, basins and waterways adjacent thereto; and said governing body shall have the power to operate and maintain the industrial terminal for the uses to which it is adapted, and to fix the rents to be paid for the use of all or any portion thereof, or said governing body may lease for a term not exceeding fifty years the whole or any part of the industrial terminal, after the same shall have been constructed, upon such terms and conditions as may be determined upon by said governing body.
Rentals.	
Term.	
Other procedure provided.	4. In lieu of proceeding with the acquisition and erection of the industrial terminal, as provided by section three of this act, the city may, after the adoption of this act by the legal voters of such city, proceed in the following manner: The governing body of the city may submit to the Board of Commerce and Navigation of this State a map or plan showing the general location of the proposed industrial terminal and substantially the boundaries of the uplands and lands under water proposed to be acquired therefor. If such map or plan shall be approved by such board, the governing body of the city may then proceed to acquire in the name of the city, by purchase, condemnation or grant, so much of the uplands and lands under water substantially shown upon such map or plan as may be necessary for the industrial terminal and as are not owned by the city. Either simultaneously with the submission of the map or plan aforesaid, or subsequently thereto, the governing body of the city may submit to said Board of Commerce and Navigation general plans for the erection of the industrial terminal, and if such plans shall be approved by such board the governing body of the city may then provide for the erection, in accordance with the plans aforesaid and in accordance with the contract hereinafter provided for, of the improvements and the acquisition of the equipment necessary for the construction and operation of the industrial terminal. Such plans and
Submission of plans.	
If plans approved, acquire lands.	
Plans for terminal.	
Erection.	



contract may be modified from time to time with the consent of the city and of all other parties in interest and with the approval of said board. The governing body of the city, at any time after the adoption of this act by the legal voters of such city, may contract in the name of the city, by contract conditioned upon, and subject to, the approval of the Board of Commerce and Navigation, with any person, firm or corporation for the construction by such person, firm or corporation of the whole or substantially the whole of the industrial terminal and its appurtenances and the furnishing of all equipment and working capital required for the proper operation thereof, such industrial terminal as constructed to be the property of the city and to be paid for by the city to such person, firm or corporation at such times and in such manner as may be provided by the terms of such contract, and such industrial terminal and all appurtenances, and any equipment owned by the city may be leased to the person, firm or corporation which shall have constructed the terminal as aforesaid for a term or terms not exceeding fifty years, and for such consideration and upon such conditions and terms not inconsistent with the provisions of this act as shall have been agreed upon between said governing body and such person, firm or corporation, and substantially embodied in the contract aforesaid. The equipment and working capital aforesaid shall be the property either of the city or of the lessee hereinafter referred to and shall be dealt with in the manner specified in such contract; *provided, however*, that no moneys of the city shall be raised or applied, as hereinafter specified, for the purpose of paying for equipment or working capital except such as may be acquired as the property of the city. Every such contract shall provide that all interest upon bonds to be issued as hereinafter provided and the principal amount of all serial bonds as they severally mature, during the term of the lease, shall be paid by the person, firm or corporation who shall have constructed and leased the terminal as aforesaid. Such contract shall also provide for the deposit with some reputable bank or trust

City may contract for all work, equipment, and working capital.

City may lease terminals.

Equipment and capital.

Proviso.

Provision for principal and interest.

Deposit of securities.

Use of  
deposit.

company of this State of securities in which trustees or savings banks of this State may lawfully invest funds, to an amount at least equivalent at current market values to ten per centum of the amount of bonds issued by the city as hereinafter provided, such deposit to be kept good and to be held and applied as security for the payment of the interest upon all bonds and the principal of any serial bonds accruing or maturing during the term of the lease aforesaid, until the average annual net earnings of the industrial terminal applicable to the payment of interest shall, for a period of three consecutive years, have amounted to at least one and one-half times the sum of the annual interest accruing upon the amount of bonds issued by the city outstanding at the end of such period plus the amount of the annual installment of serial bonds maturing as hereinafter provided next after the end of such period, at which time and in which case all such security shall be released and delivered to the owner.

Bond issue.

5. If this act shall have been adopted by the voters of such city, as hereinbefore provided, such city, through its governing body, is then authorized to raise all moneys necessary for carrying out the provisions of this act by issuing and selling bonds of such city to the amount necessary for such purpose. Such bonds, which may be special city bonds, as hereinafter provided, shall

Rate.

Term.

Interest.

Bonds not  
included in  
debt limit.

No bonds issued pursuant to the authority of this act

shall be included in ascertaining the debt limit, if any, of such city as established by law, whether for the purpose of incurring the obligation of such bonds or other obligations. All bonds issued by the city hereunder reciting that they are issued pursuant to this act shall in any action or proceeding involving their validity be conclusively deemed to be fully authorized by this act, and to have been issued, sold, executed and delivered in conformity herewith, and shall be incontestable for all purposes, anything herein or in any other statutes of this State to the contrary notwithstanding; *provided, however,* that this act shall first have been adopted by the legal voters of such city as hereinbefore provided.

Validity of  
bonds.

Proviso.

If special city bonds are issued they shall be a first lien upon the industrial terminal, and no holder of any such special city bond shall have any right of action or recourse against the city until the security afforded by the lien aforesaid shall have been availed of. The remaining terms and conditions upon which such special city bonds shall be issued and the manner of realizing upon the lien aforesaid shall be irrevocably determined by the governing body of the city before the issue of such bonds.

Bonds a  
lien.

Conditions  
of bonds.

In case special city bonds shall be issued, the city may declare and agree that the entire issue of bonds shall become due and payable in case of default in the payment of the principal or interest of any serial bonds continuing for a period to be fixed by the governing body of the city.

In case of  
default.

For the purpose of acquiring lands or lands under water necessary for the purposes of this act, the city may raise the necessary funds by borrowing money and issue from time to time its temporary notes or temporary bonds maturing at such times and in such amounts as the governing body of the city may determine, which notes or bonds shall bear interest at a rate not exceeding five per centum per annum, and shall be sold at a price not less than par and accrued interest. Such temporary notes or bonds shall be authorized by resolution of the governing body of the city and shall be paid out of the principal of the bonds hereinbefore referred to.

Temporary  
funds.

Deficiency  
met by  
taxation.

Use of  
rentals.

Agreement  
with railroads  
for building  
connecting  
line.

Certain prop-  
erty exempt  
from this act.

Approval of  
plans and  
contracts.

Approval  
final.

Proviso.

It shall be the duty of the city to raise, by taxation, each year, such a sum as may be necessary to make good any deficiency which there may be from time to time in interest payments or payments on account of the principal of matured serial bonds required to be made in respect of any notes or bonds issued by the city for the purposes of this act. All sums received by the city by way of rentals for the industrial terminal or any part thereof shall be deemed a trust fund for the payment of interest and matured serial bonds until all arrearages in such payments shall have been made good.

6. It shall be lawful for the city to enter into an agreement with any railroad company or companies for the construction of a connecting railway from the industrial terminal and various parts thereof to any of the tracks of such railroad company or companies, or any other railroad company or companies, and for that purpose the city or such railroad company or companies are authorized to acquire lands by purchase or condemnation and to construct such connecting railway, subject, however, to the provisions of section seven of this act.

7. No property whatever of any company organized for the purpose of constructing or operating a canal in this State, nor of any lessee of any such company, shall be taken under any proceedings in condemnation under the authority of this act.

8. The approval by the Board of Commerce and Navigation of the plans and contract (if any) as hereinbefore provided shall be the only approval required, and no other board or body (except any board or body which may succeed to the general powers of said Board of Commerce and Navigation) appointed for this State at large or any city, county or other subdivision of this State shall have the right to direct or control the construction of the industrial terminal. The approval by the Board of Commerce and Navigation of the plans and of any such contract shall be final and conclusive; *provided, however*, that nothing herein contained shall prevent a modification of such plans or contract with the consent of the city and with the consent of any other

person or corporation who may have contracted with reference to or upon the faith of such approval.

9. Additions, extensions and improvements of the industrial terminal provided for by this act may be made by the governing body of the city with the approval of the Board of Commerce and Navigation of this State from time to time, and the city may issue additional bonds to defray the expense thereof. All or any such additions, extensions and improvements may be constructed and leased in the manner hereinbefore specified; *provided, however*, that any lessee of substantially the whole of the industrial terminal shall have the first right to lease such additions, extensions and improvements upon terms substantially as favorable as those offered to any other person or corporation.

Additions and improvements.

Manner of making.

Proviso.

10. Every industrial terminal, and also all additions, extensions and improvements thereof, erected pursuant to the terms of this act, and every interest or estate therein, shall, during the term of any lease thereof made as herein provided, be exempt from all taxes and assessments within this State.

Exemption from taxes.

11. This act shall not be construed as repealing any part of any other act now upon the statute books of this State which gives to any city of this State similar powers to those conferred by this act; *provided, however*, that compliance with the terms of this act shall be the only compliance required with respect to any industrial terminal erected hereunder.

Act, how construed.

Proviso.

12. If one or more clauses, provisions or sections of this act shall be held unconstitutional by any court, such holding shall not affect nor impair the validity of the remainder of this act.

As to constitutionality.

13. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 128.

An Act appropriating to the Board of Commerce and Navigation of the State of New Jersey the sum of one million dollars in order to enable said board to purchase or acquire by gift, grant, bargain, sale or by condemnation, for the purpose of furthering the commercial interests of this State, lands not exceeding one thousand feet in width from Raritan bay, at Morgan, in the county of Middlesex, across the State of New Jersey to the Delaware river, at Bordentown, in the county of Burlington.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriation  
for land for  
ship canal.

1. The sum of one million dollars be and the same is hereby appropriated out of any moneys in the treasury of this State for the purpose of carrying out the provisions of an act entitled "An act authorizing the Board of Commerce and Navigation of this State to purchase or acquire by gift, grant, bargain, sale or by condemnation, for the purpose of furthering the commercial interests of this State, lands not exceeding one thousand feet in width, from Raritan bay, at Morgan, in the county of Middlesex, across the State of New Jersey to the Delaware river at Bordentown, in the county of Burlington, and providing for the donation of as much of said land as may be necessary to the Federal government, for the construction of a ship canal," approved March twenty-second, one thousand nine hundred and seventeen, the same to be paid by the Treasurer of this State, on the warrant of the Comptroller, whenever the said sum shall be included in any annual or supplemental appropriation act; *provided, however,* that no appropriation under this act shall be available until the Federal government has made an appropriation

Proviso.

for the dredging of lands and construction of said canal not exceeding one thousand feet in width, from Raritan bay, at Morgan, in the county of Middlesex, across the State of New Jersey to the Delaware river, at Bordentown, in the county of Burlington.

2. This act shall take effect immediately.

Approved March 26, 1917.

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### CHAPTER 129.

An Act to terminate the terms of office of members of certain commissions, committees, boards or bodies, now existing or hereafter created.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The terms of office of members of all commissions, committees, boards or bodies, created by virtue or authority of any joint resolution of the Legislature of this State, now existing, shall terminate and cease to exist upon the approval of this act, unless otherwise provided in such joint resolution, or unless the duties and term of office of such commission, committee, board or body so created shall have been extended by subsequent legislative enactment or appropriation.

Termination  
of office of  
sundry mem-  
bers of com-  
missions.

2. The terms of office of members of all commissions, committees, boards or bodies, hereafter created by virtue or authority of any joint resolution of the Legislature of this State, shall terminate and cease to exist upon the sine die adjournment of the session of the Legislature next following the session at which such joint resolution is passed, unless otherwise provided in such joint resolution, or unless the duties and terms of office of such commission, committee, board or body so created be extended by subsequent legislative enactment or appropriation.

Terms of  
future com-  
missions.

Secretary  
of State to  
strike such  
commissions  
from list.

3. The Secretary of State is hereby directed and authorized to strike all such commissions, committees, boards or bodies whose terms of office are terminated by the provisions of this act from the list of active commissions, kept in his office.

4. This act shall take effect immediately.

Approved March 26, 1917.

### CHAPTER 130.

An Act to establish a commission to act jointly with a similar commission of the State of New York in the investigation of port conditions at the Port of New York, and to submit a comprehensive report recommending the proper policy that shall be pursued for the best interests of the entire Port of New York; and the legislation, State and Federal, that will be necessary to make such recommendations effective; and making an appropriation for the expenses of said commission.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Commission  
to investigate  
port condi-  
tions.

1. The Governor shall appoint three commissioners who shall have power on the part of the State of New Jersey to meet commissioners appointed, or who may be appointed, under or by virtue of a law of the Legislature of the State of New York, to negotiate or agree upon a joint report recommending a policy to be pursued by the State of New Jersey, the State of New York and the United States by legislative enactment or treaty or otherwise, to the end that said port shall be efficiently and constructively organized and furnished with modern methods of piers, rail and water and freight facilities, and adequately protected in the event



of war. Before making such report such commission shall make a thorough study of port conditions in this country, and shall take and employ such engineering, legal or other professional skill and assistance as it may need for the effective working out of a comprehensive and adequate interstate and Federal port policy, to meet commercial needs in times of peace and the protection of the harbor and adjacent localities in times of war.

2. The commissioners appointed pursuant to the provisions of this act shall be paid the necessary expenses incurred in the performance of their duties, but shall serve without compensation. They shall select one of their number as chairman, and may employ a secretary and such other assistants as are needed in the performance of their duties. The sum of seven thousand five hundred dollars (\$7,500), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, when included in any supplemental appropriation bill; and the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, when included in any annual appropriation bill, for the expenses of the commission. The moneys hereby appropriated shall be paid out by the State Treasurer upon warrant of the Comptroller, upon vouchers signed by the chairman of the said commission.

3. This act shall take effect immediately.

Approved March 26, 1917.

Duties.

Expenses met.

Officers and assistants.

Appropriations.

## CHAPTER 131.

An Act concerning business or commercial advertising on private property and upon public roads, providing for the punishment of violations of the act and the abatement of nuisances resulting therefrom.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Advertising  
on property  
without  
consent.

1. Whoever paints or puts upon or in any manner affixes to any fence, structure, pole, rock or other object which is the property of another, whether within or without the limits of the highway, any words, device, trade-mark, advertisement or notice which is not required by law to be posted thereon, without first obtaining the written consent of the owner or tenant of such property, shall upon complaint of such owner, or of his tenant or any municipal or public officer, be punished by a fine of not more than ten dollars. Any word, device, trade-mark, advertisement or notice which has been painted, put up or affixed within the limits of a highway in violation of the provisions of this section shall be considered a public nuisance, and may be forthwith removed or obliterated and abated by any person.

Penalty.

Removal of  
notices along  
highways.

Repealer.

2. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 132.

An Act to provide for the improvement of certain of the township roads of the State at the prorated expense of the respective township committees and boards of chosen freeholders.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The board of chosen freeholders of any county in this State may at any time, by resolution, direct that any public road or section of such road located within any township within said county, or lying between and being the boundary line of any two townships within said county, said road being an extension of or connection with some permanently improved county road or State road, be improved in such manner as the said board by said resolution shall direct; *provided, however*, the township committee of the township, or where the said road shall be a boundary line as above stated, the township committees of the townships in which the said road or section thereof shall lie, shall make application to the board of chosen freeholders for an improvement to be made under this act, and shall undertake, as a condition of the improvement, that the township committee or the township committees, as the case may be, will pay twenty-five per centum of the cost of the said improvement, said twenty-five per centum to be paid to the collector of the county, and to be disbursed at the direction of the board of chosen freeholders and the work of the improvement to be done under the direction and supervision of the board.
 

Joint improvement of township roads.

Proviso.

If boundary road, freeholders to act.

Township's share of cost.
2. The county funds to be used for the purposes of this act shall be included by the board of chosen freeholders in its annual budget; but no board of chosen freeholders shall appropriate in any one fiscal year more than ten thousand dollars for the said purposes, nor
 

Use of county funds.

Amount.

Proviso.

shall any board of chosen freeholders within any fiscal year enter into contracts exceeding the sum of ten thousand dollars for said purposes; *provided, however*, that the limitation of ten thousand dollars set in this paragraph shall be understood to be exclusive of the sum to be raised by the respective township committees.

Apply for improvement and provide for expense.

Outside help.

3. The township committee of any township in this State is hereby authorized at its discretion to apply for the improvement of any road of the character mentioned in paragraph one of this act within its territory, or between said township or any other township within the said county, and to appropriate to the payment of the township share of the expense any funds that may lawfully be devoted to road purposes. Any township committee is hereby authorized to accept contributions from any person or corporation toward meeting its share of the cost of this work. The financial officer is hereby directed to receive such contributions and to properly credit the same.

Width of road.

Land may be acquired.

Proviso.

4. No road shall be improved under this act that is of a lesser width than thirty-three feet. The township committee or township committees, as the case may be, may acquire any land necessary for widening, straightening or relocating such road or any portion thereof on which work is to be done under this act by gift, grant, demise, purchase or by the exercise of eminent domain; *provided, however*, that the expense of the township committees incident thereto shall not be considered as a part of the twenty-five per centum to be paid as hereinbefore provided.

Remains a township road.

5. Any such road or section of road so improved under this act shall not thereby become a county road, but shall remain a township road, and be repaired and maintained by the township committee or township committees, as the case may be.

Road supervisor; pay.

6. It shall be lawful for the board of chosen freeholders, at its discretion, to employ a supervisor, to supervise the improvement, at a wage not to exceed three dollars per day, the cost thereof to be considered a part of the cost of the improvement, one-half of said

cost to be paid by the county and the other one-half by the township or townships.

7. All acts and parts of acts inconsistent with this act are hereby repealed, but this repealer shall not work to revive any statute or part thereof heretofore repealed. Repealer.

8. This act shall take effect immediately.

Approved March 26, 1917.

### CHAPTER 133.

A Supplement to "An act respecting the Orphans' Court, and relating to the powers and duties of the ordinary, and the Orphans' Court and surrogates" (Revision, one thousand eight hundred and ninety-eight).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The surrogates of the several counties of this State are hereby given the power and authority to open, vacate, modify or set aside or to enter as of a former time, a decree or order made in their court; or to grant a new trial or a new hearing for fraud, newly discovered evidence, clerical error, or other sufficient cause. The powers and authority conferred by this act must be exercised only in a like case and in the same manner as a court of record and of general jurisdiction exercises the same powers.

Surrogates may open, modify, etc., decree; or grant new trial, etc.

2. This act shall take effect immediately.

Approved March 26, 1917.

How exercised.

## CHAPTER 134.

An Act permitting the operation of motion picture machines using only cellulose acetate or other slow-burning films of a size or perforation differing from the standard as used in theatrical exhibitions.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Operation of  
certain kind  
of motion  
pictures.

1. No licensed operator or booth shall be required for any motion picture exhibition in which the apparatus for projecting such motion pictures uses only an enclosed incandescent lamp, and only cellulose acetate or other slow-burning films of a size or perforation differing from the standard as used in regular licensed theatres, moving picture theatres or similar establishments, providing such exhibition is approved by the municipal authorities having jurisdiction.

Proviso.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 135.

A Supplement to an act entitled "An act relative to guardians and the estate of minors" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Upon the petition of the guardian of the estate of any minor, or of the minor if over fourteen years of age, or of any relative or other person in his behalf, the Prerogative Court or the Orphans' Court having jurisdiction of the estate of such minor, upon such notice to such persons, if any, as the court shall direct, may make an order authorizing or directing the application by such guardian out of the income of the minor's estate, of such sum as to the court seems proper for the support, maintenance and education of such minor.

Court may order part of income for support and education of minor.

2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealer.

3. This act shall take effect immediately.

Approved March 26, 1917.

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CHAPTER 136.

An Act providing for hack stands in front of certain hotels.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for the owner or lessee of a hotel maintaining fifty or more rooms for the accommodation

Hack or cab stand before hotel.

Proviso.

of travelers to designate a place in the street in front of the hotel as a hack stand, and also to designate the taxicabs or hacks permitted to occupy such hack stand; *provided, however*, that no place shall be designated for such purpose without permission from the board or body having charge and control of the streets.

2. This act shall take effect immediately.

Approved March 26, 1917.

### CHAPTER 137.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting conveyances (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight,' which said amendment was approved April fourteenth, nineteen hundred and fourteen."

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 21  
amended.

I Section twenty-one of the act to which this is an amendment be and the same is hereby amended to read as follows:

All instruments, etc.,  
may be proven  
and recorded.

21. All deeds or instruments of the nature or description following, of or affecting the title to any lands, tenements or hereditaments, lying and being in this State, or any interest therein, may be acknowledged or proved and then recorded in the office of the clerk of the Court of Common Pleas of the county where the said lands, tenements or hereditaments are situated, that is to say: conveyances, releases, declarations of trust, mortgages, defeasible deeds or other conveyances in the nature of a mortgage, releases or deeds in which the intention to operate as releases from the lien and effect of any mortgage or judgment is plainly manifested, deeds, releases or postponements in which the

Enumeration.



intention to operate as a postponement or waiver of priority of lien of a judgment or judgments, mechanics' lien or liens, recorded mortgage or mortgages to the lien and operation of a mortgage or mortgages recorded, or to be recorded subsequent thereto, is plainly manifested, assignments and discharges or satisfaction pieces of mortgages, assignments of judgments, letters of attorney for any sale, conveyance, assurance, acquittance or release, leases for life or any term not less than two years, or any assignments thereof absolute, or by way of mortgage or security, agreements for sale, or written consents of any person, to the execution by an executor, administrator with the will annexed, or trustee, of a power for sale, conveyance, acquittance or release, or writings to declare or direct any use or trust of real estate, or which though made for some other purpose are yet by the terms of any recordable deed or will, which refers to such writings, made to operate as such declarations or directions, and all other instruments that may have been heretofore or may be hereafter directed by any statute to be acknowledged or proved and recorded; and, also, in the office of the clerk of the Court of Common Pleas of the county in which the goods, chattels and personal property lie, unless otherwise directed in this or any other act, the following deeds and instruments not of or affecting the title to land, but of or affecting goods, chattels and personal property in this State, that is to say: chattel mortgages, assignments, releases and discharges thereof, contracts for the conditional sale of goods and chattels, deeds of personal property to literary, benevolent, religious or charitable institutions upon particular trusts therein specified or otherwise.

Certain other instruments.

Enumeration.

2. That section forty-one of the act to which this is an amendment be and the same is hereby amended to read as follows:

Section 41 amended.

41. The clerk of the Court of Common Pleas of each of the several counties of this State shall record, when delivered to him for that purpose, and duly acknowledged or proved and certified as aforesaid, in large, well-bound books of good paper to be provided for that

County clerk to provide books called "Deeds" and record instruments therein.

purpose, and carefully preserved and to be called and backed "Deeds," the various instruments set forth in the twenty-first section of this act and therein described as conveyances, declarations of trust, releases, letters of attorney for sale, conveyance, assurance, acquittance or release, leases for life of any term not less than two years, assignments thereof absolute, agreements for sale, consents to the execution of powers, writings to declare or direct uses or trusts, and also all other instruments heretofore or hereafter directed by law to be acknowledged or proved and recorded, and not by such law expressly directed to be recorded in some other class of books; and also, in like books to be called and backed "Ancient Deeds," all ancient deeds of the description set forth in the fifty-eighth section of this act; and in like books to be called and backed "Releases," all releases of deeds in which the intention to operate as releases from the lien and effect of any mortgage or judgment is plainly manifested, and all deeds, releases or postponements in which the intention to operate as a postponement or waiver of priority of lien of a judgment or judgments, mechanics' lien or liens, recorded mortgage or mortgages to the lien and operation of a mortgage or mortgages recorded, or to be recorded subsequent thereto, is plainly manifested; and in like books to be called and backed "Mortgages," all mortgages, defeasible deeds or other conveyances in nature of a mortgage and assignments of such leases by way of mortgage or security; and in like books to be called and backed "Assignment of Mortgages," all assignments of mortgages, whether absolute or by way of mortgage or security; and in like books to be called and backed "Discharges of Mortgages," all discharges or satisfaction pieces of mortgages; and in like books to be called and backed "Assignments of Judgments," all assignments of judgments; and in like books to be called and backed "Chattel Mortgages," all chattel mortgages, assignments, releases and discharges thereof, and contracts for the conditional sale of goods and chattels; and in like books to be called and backed "Deeds of Trust of Personality," all deeds of personal property

"Ancient  
Deeds";

"Releases";

"Mortgages";

"Assignment  
of Mort-  
gages";

"Discharges  
of Mort-  
gages";

"Assignments  
of Judg-  
ments";

"Chattel  
Mortgages";

"Deeds of  
Trust of Per-  
sonality";

to literary, benevolent, religious and charitable institutions; and to the said various books every person shall have access, at proper seasons, and be entitled to transcripts from the same on paying the fees allowed by law. Public access.

3. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 138.

A Further Supplement to the act entitled "An act to establish public parks in certain counties in this State, and to regulate the same," approved March fifth, one thousand eight hundred and ninety-five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. To meet the further expenses to be incurred under the provisions of the act to which this is a further supplement, for the acquisition, development and improvement of parks and parkways in any county in this State in which said act shall or may be in force, and in which the sum limited in said act and in any supplement thereto shall have been already appropriated, the board of chosen freeholders of the said county shall, from time to time, on the requisition of the said board of park commissioners, in the name and on the credit of the said county, borrow money by issuing the bonds of said county to a sum not exceeding in the aggregate four hundred thousand dollars (\$400,000) over and above the total amount theretofore issued, such bonds to run for a term not exceeding fifty years, to bear interest at a rate not exceeding four and one-half per centum per annum, payable semi-annually; such bonds shall not be sold or disposed of at less than their par value, and may be made payable at any place which the said board of

Bond issue  
for further  
improvements.

Amount.

Time.

Rate.

Sinking fund. chosen freeholders may determine, and they shall also determine the form of the bond. A sinking fund shall be established by the said board of chosen freeholders on the issuing of any such bonds sufficient with the accumulations thereof, to extinguish the principal of the bonds so issued when due. The interest and principal of the bonds issued under the authority of this act shall be the debt or obligation of the county wherein they are issued, and the payment thereof shall be provided for by taxation in the same manner that other debts and obligations of the county are provided for by taxation.

Provision for principal and interest. The proceeds of the sale of said bonds, after deducting expenses for negotiating the same and for engraving and all other expenses connected with their issue and sale, shall be paid over to the said park commission.

Use of proceeds.

Repealer. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately; *provided, however*, that no bonds shall be issued in any county pursuant to this act until the said act shall be accepted by the voters of said county by a majority of the votes cast for or against the same at a general election which shall be held in such county, and the question of the acceptance of this act shall be submitted to the voters of such county at any general election whenever the park commission of such county shall, by resolution, determine thereon, and shall at least thirty days before the date of such general election file a copy of such resolution with the clerk of such county, and the question of the acceptance of this act shall be voted upon in the manner required by law.

Proviso.

Referendum.

Approved March 26, 1917.

## CHAPTER 139.

An Act to amend an act entitled "An act directing the descent of real estates," approved April sixteenth, eighteen hundred and forty-six.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section thirteen of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 13 amended.

13. When any illegitimate person shall die seized of any lands, tenements or hereditaments, in his or her own right, in fee simple, without devising the same in due form of law, and without leaving lawful issue (and leaving a mother), then the inheritance shall go to the mother of the person so seized; and if the mother shall have died before such illegitimate person, then the inheritance shall go to the heirs-at-law of said mother; and if said mother shall have no lawful heirs, and shall die leaving her surviving an illegitimate child or children, then the inheritance shall go to and be vested in the said illegitimate children as tenants in common in fee, but if there be only one child, then to that one in fee; *provided, always*, that nothing contained in this act shall be construed to make void or in any way affect any marriage settlement; *and provided, further*, that nothing herein contained shall be operative or have any effect in any case or cases wherein any proceedings have been had or taken, or are now pending on behalf of the State, under and by virtue of the law as now existing, to escheat such lands; nor shall this act affect or in anywise impair any title to any land heretofore obtained under and by virtue of any proceedings heretofore had and taken in pursuance of law. Descent of property of illegitimate persons.

2. This act shall take effect immediately. Proviso.

Approved March 26, 1917. Proviso.

Not to impair title.

## CHAPTER 140.

An Act to amend an act entitled "An act to authorize the transfer of lands or real estate used as a farm for the poor or for the care and maintenance of the poor of a part only of a county, to the board of chosen freeholders of said county, and to dissolve corporations authorized and empowered to have full charge, direction, superintendence and government of such poorhouse property," approved March twenty-first, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 3  
amended.

1. Section three of an act entitled "An act to authorize the transfer of lands or real estate used as a farm for the poor or for the care and maintenance of the poor of a part only of a county, to the board of chosen freeholders of said county, and to dissolve corporations authorized and empowered to have full charge, direction, superintendence and government of such poorhouse property," approved March twenty-first, one thousand nine hundred and sixteen, be and the same is hereby amended to read as follows:

Use of land  
acquired.

3. The board of chosen freeholders of the county acquiring title to land as provided for in this act may, in its discretion, sell and convey said land or may use said land for any public purpose except for the establishment or maintenance of an institution for the care of persons suffering from tuberculosis.

Tubercular  
institutions  
excepted.

2. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 141.

- An Act to amend an act entitled "An act respecting sheriffs in counties of the first class in this State, and providing salaries for such officers, and respecting the fees and duties of such sheriffs," approved February twenty-first, one thousand nine hundred and five.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section four of the above act is hereby amended so that the same shall read as follows:

Section 4  
amended.

4. The said sheriffs in counties of the first class of this State shall be paid an annual salary of ten thousand dollars each, to be paid by the county collectors of their respective counties in equal semi-monthly payments, in full compensation for all services rendered by said sheriffs in lieu of all fees and other compensation whatever heretofore provided or allowed by law; said sheriffs shall select and employ the necessary deputies and assistants for said office, who shall receive such compensation as shall be approved by the boards of chosen freeholders of their respective counties, and who shall be paid semi-monthly by the proper disbursing officers of the said counties on warrants authorized by the boards of chosen freeholders of their respective counties; *provided, however,* that the said salaries, together with the compensation of the aforesaid deputies and assistants for said offices respectively, shall not in any year exceed the revenue of said office.

Salary of  
sheriff in  
first class  
county

Assistants.

Proviso.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 26, 1917.

## CHAPTER 142.

An Act to incorporate the borough of Teterboro, in the county of Bergen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Borough of  
Teterboro  
incorporated.

1. The inhabitants of that portion of the borough of Moonachie, of the township of Lodi and the borough of Little Ferry, all in the county of Bergen, hereinafter set forth, are hereby constituted and declared to be a body corporate in fact and in law by the name of "The Borough of Teterboro," and as such shall be governed by the general laws of the State relative to boroughs.

Boundaries  
of borough  
set out.

2. The boundary of said borough shall be as follows:

A section of land located between the easterly boundary line of the borough of Hasbrouck Heights and a ditch adjacent to the town of Little Ferry, known as the East Riser ditch, said section of land comprising portions of the borough of Moonachie and Little Ferry and a portion of the township of Lodi, all in Bergen county, New Jersey.

Said tract beginning at a point which lies in the easterly boundary of the borough of Hasbrouck Heights, the same being the intersection of the center line of Passaic avenue in said borough produced and the easterly boundary line of the borough:

Thence: First, on a course south forty-two degrees fifty minutes east for a distance of 3,456.2 feet more or less to a corner.

Thence: Second, on a course north thirty-five degrees one minute east for a distance of 6,935.63 feet more or less to a corner (said course being for its greater part the line of the East Riser ditch.)



Thence: Third, on a course north four degrees twenty-three minutes east for a distance of 442.2 feet more or less to a corner.

Thence: Fourth, on a course north six degrees three minutes east for a distance of 880.41 feet more or less to a corner.

Thence: Fifth, on a course north forty-nine degrees fifty-three minutes forty-five seconds west for a distance of 2,076.54 feet more or less to a corner.

Thence: Sixth, on a course south forty degrees west for a distance of 7,572.11 feet more or less and along the easterly line of the borough of Hasbrouck Heights, to the point and place of beginning. Said tract containing 540.408 acres more or less.

3. This act shall take effect immediately.

Approved March 26, 1917.

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## CHAPTER 143.

### An Act concerning the Old Barracks at Trenton.

WHEREAS, The Old Barracks Association of Trenton, New Jersey, a corporation existing under and by virtue of the laws of this State, on February tenth, one thousand nine hundred and fourteen, granted and conveyed to the State of New Jersey that portion of the Old Barracks at Trenton, being about one-half thereof, exclusive of the officers' quarters, in consideration that said State should at all times forever thereafter hold, preserve and maintain the premises as an historical landmark and repository, and that the said association should retain forever thereafter the control and management of the entire Old Barracks when restored by the State, with sufficient funds to be provided by the State to maintain the said Old Barracks in their entirety, if the association's income

Preamble.

should prove to be insufficient for that purpose; therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Control and  
management.

1. The control and management of said Old Barracks now owned by the State, and whose restoration is nearing completion, be confirmed in and to the said Old Barracks Association of Trenton, New Jersey.

Payment on  
part of State.

2. The Treasurer of this State shall pay to the treasurer of the said association on the first days of November and May in each and every fiscal year the sum of one thousand two hundred and fifty dollars, when included in any appropriation bill, to be used by the trustees of said association for maintenance, repairs and administration of said Old Barracks at Trenton as an historical landmark and repository, the first payment to be made November first, one thousand nine hundred and seventeen, for the fiscal year ending October thirty-first, one thousand nine hundred and eighteen, if included in the appropriation bill for that fiscal year.

Balance of  
present ap-  
propriation.

3. Upon this act taking effect the balance of the appropriation of one thousand two hundred dollars made to the said association for the fiscal year ending October thirty-first, one thousand nine hundred and seventeen, shall be paid to the treasurer of said association for the purposes aforesaid.

Annual  
accounting  
by treasurer  
of the Old  
Barracks.

4. The treasurer of the said association shall render to the Comptroller of the Treasury of this State, on the first day of December in each year, an account of the expenditures of said association for maintenance, repairs and administration of said Old Barracks at Trenton; and shall pay to the Treasurer of this State any unexpended balance of the income of said association obtained during the last fiscal year from the moneys appropriated by this State or otherwise procured by said association for the purposes aforesaid.

5. This act shall take effect immediately.

Approved March 26, 1917.

## CHAPTER 144.

An Act to amend an act entitled "An act to authorize and provide for the establishment and maintenance of hospitals for contagious diseases for cities in this State," approved March twenty-third, anno Domini one thousand nine hundred, which amendatory act was approved March eighteenth, anno Domini one thousand nine hundred and thirteen.

BE IT ENACTED by the *Senate and General Assembly of the State of New Jersey*:

1. Section one of the act to which this is an amendment be and the same is hereby amended so as to read as follows:

Section 1  
amended.

1. Whenever the board of health of any city of this State shall, by resolution passed by the votes of a majority of the members thereof, declare that it is necessary to establish and maintain in and for such city a hospital which shall be devoted exclusively to the treatment and relief of persons suffering from contagious and infectious diseases, and setting forth the estimated cost thereof, a copy of the said resolution, certified under the hands of the president or chairman and secretary or clerk of such board or body, shall be forthwith transmitted to the common council, board of aldermen, or other board having charge and control of the finances of such city, and thereupon such financial board, by resolution, shall make an appropriation or appropriations as hereinafter mentioned; that is to say, in all cities having by the census last preceding the adoption of such resolution a population of not more than fifteen thousand, a sum not exceeding ten thousand dollars; in all cities having by such census a population exceeding fifteen thousand and not exceeding thirty thousand, a sum not exceeding the sum of twenty thousand dollars; in all cities having by such census a

Certified  
declaration  
sent to  
council.

Appropriation  
per popula-  
tion.

	population exceeding thirty thousand and not exceeding one hundred thousand, a sum not exceeding the sum of seventy-five thousand dollars, and in all cities having by such census a population exceeding one hundred thousand a sum not exceeding the sum of one hundred and twenty-five thousand dollars, nor shall the minimum of such appropriations be less than one-fourth of the said amounts in each case respectively; for the purchase of lands, if required, and the erection and furnishing of a suitable building or buildings in and for such city by such board of health, and upon the adoption of such resolution by such financial board, such board shall from time to time issue bonds in the corporate name of such city for the amount so appropriated, which bonds shall be of such denomination as such financial board shall determine, and shall be made payable in not less than twenty years nor more than fifty years; they shall bear interest at a rate not greater than four per centum per annum, which shall be payable semi-annually and may be registered or coupon bonds, or may be registered and coupon bonds combined, at the option of said financial board; they shall be sold at public or private sale, but for not less than par and accrued interest, and there shall be raised by tax in each year the interest on the whole amount of the bonds so issued, together with at least one per centum per annum of the principal of such bonds for a sinking fund, to be paid to the commissioners of the sinking fund of such city for the purpose of meeting the said bonds when they shall become due there shall further be raised in each annual tax levy in any city for which such hospital is established an amount sufficient to provide for the support and maintenance of such hospital in that year; <i>provided, however</i> , that no city shall issue bonds under the provisions of this act where the amount of such bonds, together with all other funded and floating indebtedness of such city then outstanding after deducting the available sinking fund thereof, shall exceed ten per centum of the valuation of the real and personal property of said city as assessed for municipal purposes for the year next prior to the incurring of such indebtedness.
Bond issue.	
Time.	
Rate.	
Interest and sinking fund.	
Proviso.	

And whenever any city has already erected such a hospital, but has not sufficient funds to fully furnish or equip the same out of the proceeds of bonds already sold hereunder, then in any such case the common council, board of aldermen or other board having charge of and control of the finances of said city, on the request of the board of health of said city may issue additional bonds hereunder in a sum sufficient to fully and properly equip and furnish such hospital; *provided, however*, that the total of such additional bonds, together with those already issued, shall, in no case exceed the amount authorized to be originally issued hereunder in any such city.

Issue of additional bonds.

Proviso.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 145.

A Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Whenever the Civil Service Commission shall make any order under and in accordance with the provisions of the act referred to in the title of this act and to which this act is a supplement, or under and in accordance with the rules of said Civil Service Commission, made in accordance with the provisions of said act, the person or persons or public body to whom said order is directed shall forthwith proceed to comply with the

Compliance with orders of commission.

terms and provisions thereof, and any failure or neglect to properly satisfy or meet the requirements of said order shall be subject to all the remedies and penalties now provided by law for refusal or failure of public bodies or public officers and employees to do an act required of them by law.

2. This act shall take effect immediately.

Approved March 27, 1917.

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### CHAPTER 146.

An Act to amend an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 29  
amended.

Temporary  
appoint-  
ments in  
emergencies.

1. Section twenty-nine of the act to which this act is amendatory is hereby amended to read as follows:

29. Nothing contained in this act shall be construed to prohibit the head of any department, office or institution of this State, or of any municipality thereof, adopting the provisions of this act employing temporarily, subject to the subsequent approval of the commission in cases of emergency, a person or persons to carry out the work of such department, office or institution, but the head of such department, office or institution upon employing any such person or persons shall immediately give notice thereof to the commission created by this act, and as soon thereafter as practicable a person shall be selected in accordance with the other provisions of this act, whereupon the services of the

person or persons so temporarily employed shall cease. In no case shall such employment continue for a longer period than two months, nor shall successive temporary appointments be made to the same position under this provision, except that after the presentation of a request by the head of the department in which the temporary appointment has been made prior to termination of the sixty-day period, showing that the emergency requiring the temporary employment still exists, the commission may, after a consideration of the circumstances, permit an extension of the employment of not to exceed two months.

Not to exceed two months.

Extension of permit.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 27, 1917.

## CHAPTER 147.

A Further Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. When the act referred to in the title to this act and to which this act is a supplement shall be adopted, in the manner therein provided, by any municipality of this State, no removal or discharge of any officer, clerk or

Removals after adoption of act.

employee in the civil service of such municipality shall be made within the period of forty-five days subsequent to the election at which said act shall be adopted as aforesaid, except in accordance with the provisions of the act to which this act is a supplement, and the Civil Service Commission shall have the power to vacate any such removal or discharge made in violation of the provisions of the act, to which this act is a supplement, within said period of forty-five days, and to order the reinstatement of any officer, clerk or employee so, as aforesaid, removed within said period and in violation of the provisions of said act to which this act is a supplement. Said Civil Service Commission may investigate any removal or discharge of an officer, clerk or employee from the civil service of such municipality made within said period of forty-five days either on the application of the person so removed or discharged, alleging the unlawfulness of such removal or discharge, or on its own motion, and shall grant a hearing to the parties, as nearly as may be, in accordance with the law applicable to the making of investigation and hearing of appeals by said Civil Service Commission.

2. This act shall take effect immediately.

Approved March 27, 1917.

Reinstatement.

Investigation of removal.

Hearing.



## CHAPTER 148.

An Act to authorize preliminary examinations, surveys, drawings, soundings, and securing of preliminary estimates for the construction of bridges and the approaches thereto over navigable waters which mark the dividing line between counties in this State, and to provide moneys for payment of the expense thereof, and to issue and sell bonds to provide for all or any of the purposes aforesaid.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Where navigable waters mark the dividing line between two or more counties of this State, and the respective boards of chosen freeholders of such counties have resolved or may hereafter resolve that a bridge or bridges across such waters at any point or points, or between any points, is a public necessity, it shall and may be lawful for such boards of chosen freeholders of such counties, respectively, to authorize the making of preliminary examinations, surveys, drawings, soundings and the securing of preliminary estimates of the cost of construction of any such bridges and approaches, and to appropriate moneys to provide for the work aforesaid to an amount not exceeding five thousand dollars for each county, which amounts, together with the amount hereinafter appropriated to be paid by the State of New Jersey, through its State Highway Commission, shall be used to pay the cost of such preliminary examinations, surveys, drawings, soundings and securing of preliminary estimates of the cost and expense of erecting and maintaining any such bridge or bridges and approaches thereto.

Joint county bridge.

Plans, etc.

Money for preliminary work.
2. For the purpose of providing the moneys necessary for such preliminary surveys, soundings and esti-

Bond issue.

Amount.	mates for any such bridge or bridges and approaches thereto, it shall be lawful for such boards of chosen freeholders, and any of them, respectively, to issue bonds of their respective counties and to sell the same, either at public or private sale, at any price not less than par, this amount not to exceed said county's proportionate share of the cost of such surveys, soundings and estimates for such bridge or bridges and the approaches thereto.
Time.	Such bonds, if issued, shall be made payable in not more than five years from the date of their issue, and
Rate.	shall bear interest at a rate not greater than five per centum per annum.
State's share.	3. The State Highway Commission may expend out of the State road fund towards the payment of the costs and expenses of the purposes of this act a sum or sums of money not exceeding five thousand dollars; <i>provided, however</i> , that no payment shall be made by
Proviso.	the State Highway Commission until the appropriation shall have been made by two counties as hereinbefore provided for.
	4. This act shall take effect immediately.
	Approved March 27, 1917.

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## CHAPTER 149.

A Supplement to an act entitled "An act concerning townships (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Division of  
townships  
into wards.

1. No act supplemental to the act to which this act is a supplement, which provides that townships having a population of more than eight thousand and less than

ten thousand inhabitants shall be divided into wards, shall be operative or take effect in any township in this State, nor shall any township in this State be divided into wards under the terms of any such supplemental act, in which township there is situate any State hospital for the insane, unless the population of such township, exclusive of any inmate of such hospital not a legal resident of such township, shall be more than eight thousand.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 150.

An Act changing the name of the township of Union, in the county of Bergen, to the township of Lyndhurst, in the county of Bergen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. That the body politic and corporate situated, lying and being in the county of Bergen, State of New Jersey, and known and designated by the name of "The Township of Union, in the County of Bergen," be changed to The Township of Lyndhurst, in the County of Bergen, and that hereafter the said body politic and corporate shall be known by the name of "The Township of Lyndhurst, in the County of Bergen."

Change of  
name of  
township.

2. This act shall take effect immediately; *provided*, it shall not be operative to effect the change of name of said body politic and corporate until it shall have been accepted by a vote of the majority of the legal votes cast at a special election to be held within said township on the second Tuesday of May, one thousand nine hundred and seventeen, at which special election shall be submitted the question of the adoption or rejection of

Referendum.

Special  
election.

this act. The polls of said election shall be open at six o'clock A. M. and shall be closed at seven o'clock P. M. on said day.

Notice of election.

The township clerk shall cause public notice of the time, place and object of such election to be given by advertisement signed by himself and set up at least ten days prior to said election in at least ten public places in said township, and shall be published at least twice in two newspapers published in or circulating within said township.

When and by whom held.

Said election shall be by ballot, and shall be held at the polling places within the election districts of said township and by the same election officers who shall hold the election for commissioners of said township under the terms and provisions of the Walsh act (said second Tuesday of May, one thousand nine hundred and seventeen, being the day upon which the new board of commissioners is to be elected).

Register.

The register of voters used at said special election shall be the same as that used on said day for the election of said commissioners, and no new or other registration for said special election shall be had other than the one prescribed for said election of commissioners. The board of commissioners of said township shall authorize the township clerk to provide a separate ballot box to be used at said special election for each of the election districts within the township, within which the ballots cast for or against the adoption of this act shall be deposited.

Ballot box.

Sample ballots.

3. The clerk of the said township shall provide sample ballots for the said board of registry and election. The said board of registry and election shall mail a sample ballot at least five days prior to said election to every legal voter within the township.

Canvass.

The said board of election shall, at the close of the polls, canvass the votes so cast and certify the result thereof, in writing, in triplicate, one of which certificates shall be immediately filed with the clerk of the township and one with the clerk of the county of Bergen and the other handed to the clerk of the township to be forwarded to the Secretary of State, who shall certify to the township

Certificates of result filed.

clerk the receipt and filing of said certificate in his office; and thereupon, from and after the date of the filing of said certificate in the office of the Secretary of State, the name of said township shall be "The Township of Lyndhurst, in the County of Bergen."

4. Upon the ballots provided for said election shall be printed the proposition, with instructions to the voters in the following form:

Form of  
ballot.

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto, make an X mark in the square to the left of and opposite the word "No."

How to vote.

	Yes.	Shall an act entitled "An act changing the name of The Township of Union, in the County of Bergen, to The Township of Lyndhurst, in the County of Bergen," be adopted?
	No.	

Question.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it shall be counted as a vote in favor of said proposition.

Voting.

If the voter shall make an X mark in black ink or black pencil in the square to the left of and opposite the word "No," it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes," or "No," it shall not be counted as a vote either for or against such proposition.

6. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Repealer.

Approved March 27, 1917.

## CHAPTER 151.

An Act to amend an act entitled "An act respecting the Orphans' Court, and relating to the powers and duties of the ordinary and the Orphans' Court and surrogates (Revision, one thousand eight hundred and ninety-eight)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 123  
amended.

1. Section one hundred and twenty-three of the act to which this act is an amendment is hereby amended to read as follows:

In cases of  
guardians and  
trustees,  
citations to  
be issued.

123. In cases of the accounts of guardians and trustees, in lieu of the notice aforesaid the surrogate may issue citations to all persons concerned to appear at the said Orphans' Court, which citations shall be served at least ten days before the sitting of the court; and such guardian or trustee, or any person on his behalf, may serve such citation on such wards or other parties by delivering a copy thereof to them, or by leaving a copy at their usual place of abode with some person of the age of fourteen years or upwards, and make and file with the surrogate an affidavit setting forth the time, place and manner of such service, whereupon the same shall have the force and effect of a service by the proper officer, no other notice of such settlement shall be required; but a citation shall issue on the final accounting of guardians.

Approved March 27, 1917.

## CHAPTER 152.

## An Act concerning municipalities.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

## ARTICLE I.

## DEFINITIONS.

1. The term "municipality" or "municipal corporation," where used in this act, shall be construed to mean "city," "town," "township," "village," "borough," and any municipality governed by a board of commissioners, or improvement commission. "Municipality."

2. The term "governing body," where used in this act, shall be construed to mean the board or body in each municipality designated by statute effective in such municipality, as the board or body having control over the subject matter in connection with which such term is used, and having the power and authority to legislate thereon, whether designated as "board of aldermen," "common council," "borough council," "township committee," "village trustees," "improvement commission," "board of street and water commissioners," "board of public works," "board of finance," "board of health," "park commissioners," "recreation commissioners," or otherwise. "Governing body."

No provision of this act shall be construed to transfer from any officer, board or body in any municipality any power or authority which he or it may now have. In case any additional power is conferred upon any municipality by this act, and by the statutes effective in such municipality no board or body is designated as the one to exercise such power, then the term "governing body" shall be construed to mean the board or body exercising general legislative power in such municipality. As to authority.

## ARTICLE II.

## CHANGE OF NAME.

Changing  
name.

1. Whenever a petition praying for the change of name of any municipality and specifying the name proposed for adoption shall be signed by at least thirty per centum of the legal voters therein who voted at the last preceding general election, and filed in the office of the clerk of such municipality, such proposed change of name shall be submitted to the voters at the first general election occurring in such municipality not less than sixty days after the filing of such petition. The clerk of such municipality shall advertise that said change of name will be voted upon at such election in the same manner as municipal elections are advertised, and the question of the change of name shall be printed upon the ballots and voted upon at such election in accordance with the general law relating to elections in this State.

Question on  
ballot.

Certified copies  
of change of  
name filed with  
county clerk  
and secretary  
of State.

2. In case a majority of the votes cast upon this subject at such election shall favor the change of name, such name shall thereupon be so changed and the name adopted shall be and become the official title of the municipality. The clerk of the municipality shall forthwith record in the official minutes thereof the result of the election thereupon, and shall cause a certified copy of such minutes to be filed and recorded in the office of the clerk of the county in which such municipality is situate, and shall also file in the office of the Secretary of State of the State of New Jersey a certified statement showing the change of the name and the new name so adopted.

Legality of  
charter, ordi-  
nances, etc.

3. All the provisions of any charter of any such municipality, except so much as refers to the name, and all ordinances, resolutions and official acts ordained, passed or executed by such municipality, shall remain legal and of full force and effect; and all provisions, ordinances, resolutions and official acts thereafter ordained, passed or executed under the new name of such municipality, shall be legal and of full force and effect



as if passed, ordained or executed under the former name of such municipality.

4. No suit brought by or against any such municipality shall abate by reason of the change of such corporate title, nor shall the liability of such municipality, or of any person to such municipality, on any contracts or otherwise, be affected by reason thereof.

Liability not affected.

### ARTICLE III.

#### SHORTENING OF TITLE.

1. The governing body of any municipality shall have power by resolution to shorten the corporate title of such municipality by striking therefrom any such words therein as "The Mayor and Common Council of" or "The Mayor and Aldermen of," so that the corporate title of such municipality shall thereafter be "....." (specify class, i. e.—city, town, borough, et cetera) of "....." (specify name of municipality).

Corporate title shortened.

2. Upon the filing in the office of the Secretary of State of any such resolution passed by any such board or body, the corporate title of such municipality shall be changed as designated in such resolution. No suit brought by or against such municipality shall abate by reason of the change of such corporate title, nor shall the liability of such municipality, or of any person to such municipality, on any contract or otherwise, be affected by reason thereof.

Change effective on filing resolution.

3. A copy of such resolution shall be printed with the public laws next issued after the filing of such resolution.

Copy printed with laws.

### ARTICLE IV.

#### INCORPORATION OF MUNICIPALITY.

1. The inhabitants of every municipality shall be a body corporate in fact and in law, and by its corporate name it shall have perpetual succession, may sue and be sued, have a common seal, and purchase, acquire, lease, hold, let and convey real and personal property for the use and benefit of the municipality.

Every municipality a body corporate.

## ARTICLE V.

## NEWLY-CREATED MUNICIPALITIES.

Acquired  
rights.

Liability.

Proportionate  
amount.Continuance  
of officers.New govern-  
ment.

1. Whenever any municipality may be hereafter created or incorporated, it shall have and own all the property, assets and liens which at the time of its creation or incorporation belonged to or were vested in any municipality existing within its limits, and a proportionate amount of the property, assets and liens belonging to any municipality, any portion of whose territory is embraced within its limits; it shall also be liable to pay the bonded and other indebtedness of any municipality which before its creation or incorporation existed within its limits, and a proportionate amount of the bonded or other indebtedness of any municipality, a portion of the territory of which was included therein. The said proportionate amount of said property, assets and liens, and said proportionate amount of said bonded and other indebtedness, shall be ascertained in the manner hereinafter provided.

2. The officers of any municipality, any portion of which shall be included within the newly-created municipality, who shall hold office at the time of such creation or incorporation, shall, until the organization of the governing body of such newly-created municipality, continue to perform the duties and possess the powers imposed upon or given to them by law within their respective municipalities, notwithstanding the creation or incorporation of such new municipality. On the first Monday following the first election of officers, held within the newly-created municipality, the terms of office of the officers of any municipality, the whole of which shall be embraced within the limits of such newly-created municipality, shall thereupon cease and be terminated, and said officers shall forthwith deliver over to the governing body of such newly-created municipality, immediately after their qualification, all books, papers, assets and property of every kind and description belonging to the said old municipality. The new municipality may be substituted, on its own application, as party plaintiff or defendant in any suit pend-

ing in any court of law or equity, by or against such old municipality. All taxes and assessments theretofore levied by any municipality lying wholly within such newly-created municipality, and all taxes and assessments which may have been set over and apportioned to the newly-created municipality as hereinafter provided, shall be valid and effectual as if originally levied and assessed by the officers of the said newly-created municipality; the governing body of said newly-created municipality is authorized to do and perform all necessary acts to confirm and make effectual said taxes and assessments, and shall have the same rights for the enforcement and collection thereof as if the same had been levied and assessed by the proper authority of the said newly-created municipality.

Taxes and assessments levied valid.

Enforce collection.

3. On the filing with the county clerk of a copy of the act of incorporation of such newly-created municipality, certified under the hand and seal of the Secretary of State, it shall be the duty of the county board of elections of the county in which such newly-created municipality is located, upon the application of any legal voter in such municipality, to prescribe and define the boundaries of such election districts as may, in their opinion, be necessary in said municipality; and said board shall also appoint the time, place or places, and determine the manner of holding the first election within the newly-created municipality for the election of officers therein, and the time or times, place or places, and the manner of registering the voters for such election; said election shall be held and conducted in accordance with the general law relating to elections in this State. Said county board of elections shall act in the place of all municipal officers and shall do and perform all the duties imposed by law upon municipal clerks and other officers, and also any and all other acts for the holding of said election of municipal officers in such municipality according to law. The statement of the result of said first election duly certified by the county board of elections, shall be filed in the office of the clerk of the county within five days after such election. The reasonable cost of the booths or compartments, the preparation of registry or poll-lists, and the conduct and holding of said elec-

Election districts defined.

Manner of holding election, etc., prescribed.

County board of election to act.

Cost of election.

Proceedings by  
resolution.

tion as above provided, shall be borne by the newly-created municipality. All of the acts and proceedings of the county board of election under the authority of this act, shall be by resolution or resolutions, a copy of which, duly certified under their hands, shall forthwith, after the adoption of the same, be filed in the office of the clerk of the county in which the newly-created municipality is located.

Organization  
of newly  
elected officers.

4. On the first Monday after the filing of the result of said election in the office of the clerk of the county, those who were elected members of the governing body shall assemble in some convenient place; and after each member thereof has duly qualified and taken his oath of office, they shall proceed to organize in the manner provided by law; all other officers chosen at said first election shall qualify within five days thereafter.

Meeting of  
joint committees  
to divide  
property, etc.

5. Whenever said newly-created municipality includes a portion of any other municipality or municipalities, a committee of three shall forthwith be appointed by said governing body from their own number, and a like committee shall be appointed by the governing bodies of each of the municipalities, a portion of which shall have been taken and included in the newly-created municipality; the governing body of the newly-created municipality shall appoint a time and place for a joint meeting of said committees, and shall give at least ten days' written notice thereof to the presiding officer and clerk of each of the governing bodies of the municipalities, a portion of which shall have been so taken; at the appointed time and place said joint committee shall meet, and shall then and there, or as soon thereafter as may be, proceed to appraise, state an account of, allot and divide between such newly-created municipality and such other municipality or municipalities, all the moneys on hand, property, assets and liens of every kind, and all the indebtedness of such municipalities, in the proportion that the taxable property within the portion of any municipality so taken shall bear to the whole taxable property of said municipality as the same was before said portion was so taken; *provided*, that any real estate belonging to any old municipi-

Proviso.

pality, acquired and held for public use, shall be and remain the property of the municipality within whose limits it may lie after separation as aforesaid, and any indebtedness then existing which was incurred for or on account of the said property, shall be or become the indebtedness of the municipality within whose limits it may then be, and neither said property nor said indebtedness shall be included or taken into account in making the apportionment and division herein provided for; such apportionment shall be based upon the last abstract of ratables made for the purpose of levying taxes in each of the municipalities, any portion of which shall have been included in the newly-created municipality; in effecting such division a decision of a majority of those present of the committee of said newly-created municipality concurred in by a majority of those present of the committee of the municipality the assets and debts of which are being divided, shall be final and conclusive; the members of the committees of other municipalities present for the purpose of making such division shall have no voice therein. If any member of any of said committees shall neglect or refuse to attend such meeting, or any adjourned meeting, the other members thereof who may be present may act. It shall be lawful for a minority of the whole number of such joint committee to adjourn any meeting from time to time, not exceeding one week. Said joint committee shall appoint a clerk from their own number, who shall keep a record of their proceedings, and shall certify to each municipality affected the apportionment of assets and debts made. Such joint committee shall have power to issue subpoenas, and to compel the attendance of any of the officers of any of the municipalities affected, and to compel the production of all books and papers relating to the subject matter under consideration, and to administer oaths or affirmations to any person appearing before said committee to testify, and shall have the same power to enforce its process of subpoena and to compel any person to attend and testify, and all other powers in regard thereto, which are given to the common council or other governing board or

As to indebtedness.

Basis of apportionment.

If member not present.

Clerk of committee.

Subpoenas.

body of any municipality within this State under the provisions of an act entitled "An act concerning evidence (Revision of 1900)," approved March twenty-third, one thousand nine hundred, and any supplements thereto, or amendments thereof.

In case of  
disagreement  
of joint com-  
mittees.

6. In case the joint committee herein provided for shall be unable to agree upon a division of the assets or debts of said municipalities, or in case either of said municipalities desires to have such allotment and division made by commissioners, then it shall be lawful for the governing body of either of said municipalities to apply to the Court of Common Pleas of said county for the appointment of three disinterested persons as commissioners, who shall make the above appraisal and apportionment in the manner hereinbefore provided; and their determination in writing, signed by any two of them, shall be binding and conclusive upon each of said municipalities. Such commissioners shall receive such compensation for their services as said court may think proper, to be paid by said municipalities equally.

Commission-  
ers to act.

Dissolution of  
municipality.

7. Whenever any municipality shall be dissolved under any special or general law, and shall then become or be made a part of any other municipality, or shall have its territory divided among several municipalities, the municipality of which it becomes a part (if it becomes a part of any one municipality) shall have and possess all its property, assets and liens, and shall be bound by and charged with the payment of all its indebtedness or obligations for the payment of money, or otherwise; where said municipality becomes a part of, or its territory is divided among several municipalities, apportionment shall be made of said assets, property, liens, debts, obligations and other liabilities, in the manner hereinbefore provided in case of the creation of a new municipality.

Division  
into wards.

8. If the newly-created municipality be one that is, by the general laws governing it, required to be divided into wards, the county board of elections shall have all the power of a governing body and shall take the necessary proceedings to have the same so divided, in the first instance, in the manner provided in this act.

9. In case any newly-created municipality shall include a part of another municipality, any officer thereof residing within the limits of the newly-created municipality shall hold his office and perform the duties thereof until the next general election is held for the election of officers within said old municipality, at which time some other person or persons residing in the remaining part of said municipality shall be elected in his place or stead, whether the term of office for which he was originally elected has expired or not. The incorporation of a new municipality shall not in anywise affect the commissions of justices of the peace or commissioners of deeds residing within its territorial limits.

Officer residing in new municipality to continue.

Justices and commissioners of deeds not affected.

10. Any charter or special act in force within any municipality, any portion of which shall be included within such newly-created municipality, shall be of no further force or effect within such newly-created municipality, and as to it, shall be deemed to be, from the time of its incorporation, repealed; *provided*, such repeal shall not operate to affect any rights which shall have been acquired under or by said charter or special act.

Special acts repealed on incorporation.

Proviso.

11. The term "real estate," as used in this article, shall include all sewer or other improvements of a public nature so lying entirely within the limits of the newly-created municipality; and any indebtedness existing at the time of the creation of said new municipality, incurred for or on account of said sewer, or other improvements of a public nature, shall be and remain the indebtedness of the municipality within whose territory such sewer or other improvement lies, and be its property; and neither said sewer or other public improvement, nor said indebtedness, shall be included or taken into account in making the apportionment and division herein provided for.

Real estate includes sewers.

Indebtedness for sewers.

Neither included in division.

## ARTICLE VI.

### ANNEXATION OF TERRITORY.

1. Land lying and being in one municipality may be annexed to and become part of another municipality to

Annexation.

Petition, by  
whom signed  
and what to  
set out.

which said land is contiguous. To effect such annexation a petition in writing shall be presented to the governing body of the municipality to which such annexation is sought to be made, specifically setting forth the boundaries of such land, signed by at least sixty per centum of the legal voters residing thereon; in case no voter resides thereon, such petition may be signed by the person or persons owning at least sixty per centum of said land as shown by the assessor's duplicate for the preceding year; such petition shall be duly verified by one of the signers thereof, and shall have attached thereto the oath of an assessor of the municipality in which said land is located, or of some other person having access to such assessor's books, setting forth the assessed value of the real estate contained within such boundaries for the preceding year, and the amount of real estate assessed to any of the persons whose names are signed to such petition; such petition shall also have attached thereto a certified copy of a resolution of the governing body of the municipality in which said land is located, consenting to said annexation, which resolution said governing body is hereby authorized and empowered to adopt. The governing body of the municipality to which land is sought to be annexed may, by a two-thirds vote, in its discretion, by ordinance, annex the land specifically described in said petition, to such municipality; and in case such municipality is divided into wards, shall also in such ordinance designate the ward or wards to which said land shall become a part, but in all cases the annexed land shall become part of the ward or wards to which it is contiguous; *provided, however*, that the boundaries of such municipality shall not be extended so as to include a portion of any county other than that in which such municipality is located.

Annexed by  
ordinance.

Wards.

Proviso.

Laws and  
ordinances  
applicable.

2. Upon such ordinance becoming effective, the land described in said petition shall be and become a part of such municipality to which it is annexed, and all laws affecting the municipality to which such land is annexed, and the ordinances and regulations of said municipality, shall extend to and have the same force and effect within the territory so annexed to such municipi-



pality as the same shall have had theretofore within the original limits of such municipality; *provided*, that all vested rights of any kind shall not be changed or abrogated by such annexation. Proviso.

Upon such annexation of any land as aforesaid, the clerk of the municipality to which such land is annexed, shall immediately thereafter file in the office of the clerk of the county in which such land is situate, and also in the office of the Secretary of State, a certified copy of said ordinance. Copies of ordinance filed.

3. The governing body of the municipality to which such land is annexed shall forthwith cause the land so annexed as aforesaid, to be plotted upon the official map or maps of the municipality. Land plotted on municipal map.

4. All persons resident within the limits of such annexed territory, upon such annexation taking effect, shall be residents and citizens of the municipality to which such territory is annexed, and shall have the same rights and be entitled to the same privileges, and be subject to the same obligations, as if they had been residents in and citizens thereof during the time they were residents in and citizens of said annexed territory. Rights of citizens.

5. The municipality to which such territory shall be annexed, shall be liable to pay a proper proportion or share of the bonded and other indebtedness of the municipality of which such annexed territory formerly formed a part, which share or portion of such indebtedness shall be ascertained in the manner hereinafter provided. Liability for indebtedness.

6. On the Monday after such annexation shall take effect, a committee of three to be appointed by the governing body of the municipality to which such territory shall be annexed, and a similar committee appointed by the governing body of the municipality of which said territory was formerly a part, shall meet at the city hall or municipal building of the municipality to which said territory shall be annexed, at ten o'clock in the forenoon of said day, and shall then and there, or as soon thereafter as may be, proceed to state an account of all the property, real and personal, all debts, dues and demands, all judgments, recognizances and claims, and all Joint committees to effect settlement of accounts of property and debts.

liens, actions and rights of actions belonging to the municipality of which the said annexed territory formerly formed a part, and to state the fair value of the same to the said municipality; and also to state an account, in like manner of all the debts outstanding of the said municipality, and the proper proportion or share of which should be borne and paid by the municipality to which such territory shall have been annexed, and the methods in and times at which payment thereof should be made, and for the final payment thereof the faith of the said municipality shall stand pledged; and it shall make such payments in the manner and at the times set forth in said report; if any member of either of the committees so appointed as hereinbefore provided, shall neglect or refuse to attend such meeting, then those members of such committees so assembled may act as fully as if all were present; *provided*, it shall be lawful for a minority of the whole number of such joint committee to adjourn such meeting from time to time, not exceeding one week.

Payments.

If member fails to attend.

Proviso.

Reports of settlement filed.

7. Within sixty days after the time fixed for their first meeting, said committees shall make their report in duplicate originals, signed by at least four of said committeemen, and file one of said reports with the clerk of each of said municipalities. The compensation of said committeemen shall be fixed by the governing body of the municipality appointing them, and shall be paid by said municipality in the same manner as other officers or employees of said municipalities are paid.

On failure to make report, court to appoint commissioners to perform work.

If said report is not made and filed within said time, the municipality to which said territory is annexed shall forthwith cause a petition to be presented to the justice of the Supreme Court holding the circuit in the county in which such municipality is located, praying for an order appointing three commissioners to take the place of and perform the work of said committees, and said justice shall by order designate such commissioners, who shall perform said work and who shall make their report within thirty days from the date of their appointment, unless otherwise ordered by said justice; and the report of said commissioners, or a majority of them,

shall be made in duplicate and filed with the clerk of each of said municipalities, and shall have the same force and effect, and be as binding as if a report had been made and filed by said committees. The commissioners so appointed by said justice shall be paid for their services by the municipality applying for their appointment and by the municipality of which said territory formerly was a part; the said justice shall, upon application of said commissioners, and after they have filed their report, fix the amount to be paid to each of said commissioners, and the part or share thereof to be paid by each of said municipalities, and for which said respective amounts said respective municipalities shall be legally liable.

Compensation  
of commis-  
sioners.

8. All commissioners of deeds, justices of the peace and constables, resident within the territory annexed as aforesaid, shall continue to hold their respective offices until the expiration of their respective terms; and all police officers of any such annexed territory shall continue to hold their offices and to exercise the functions and powers thereof as provided by the ordinances, rules and regulations of such municipality to which said territory shall be annexed, and under the marshal or chief of police thereof, until their successors shall be regularly appointed by the proper authority of such municipality; until their successors shall be chosen, and while they shall remain in such positions, they shall receive from such municipality the same pay that they would have received from the municipality of which they were officers before such annexation.

Officers in  
commission  
continued.

9. Nothing herein contained shall affect any actions or suits which shall be pending at the time of such annexation, and to which either of said municipalities shall be a party; and the collection of all taxes and assessments of or on all such annexed territory or any part thereof, and which shall be unpaid at the time of such annexation, shall be effected in the manner prescribed by the laws, ordinances and regulations governing the municipalities of which said annexed territory was formerly a part.

Actions at law  
not affected.

Unpaid taxes.

## ARTICLE VII.

## CONSOLIDATION.

Consolidation  
of municipali-  
ties.

1. Any two or more adjoining municipalities, lying in the same county, may consolidate and become one municipality, in the manner hereinafter provided.

Resolutions  
presented to  
court.

2. Upon presentation to the justice of the Supreme Court holding the circuit in the county wherein such municipalities are situated, of copies of resolutions adopted by the governing bodies of such municipalities (which resolutions they are hereby authorized and empowered to adopt), favoring consolidation and setting forth the name by which such consolidated municipality is to be known, certified to by the respective clerks thereof, it shall be the duty of such justice to call, by written order, an election to be held within such municipalities, at the next general election, at least ninety days after the date of said order, for a determination by the legal voters of such municipalities whether such consolidation shall be effected. Said order shall state the corporate names of the municipalities which it is proposed shall be consolidated, the object of such election, and the name by which such consolidated municipality is to be known. Said order shall forthwith be filed in the office of the clerk of said county, and true copies thereof shall at once be served upon the board of elections in said county and upon the clerk of each of the municipalities named in said order. The question as to the consolidation of the same municipalities shall not be submitted to the voters of said municipalities oftener than once in two years.

Judge to call  
election.

What orders  
to show.

Order filed  
and copies  
served.

Adoption of  
resolution.

3. Upon the presentation to the governing body of any municipality of a petition favoring consolidation with one or more municipalities in said county, and setting forth the name by which such consolidated municipality is to be known, signed by twenty per centum of the legal voters of such municipality, said governing body shall forthwith adopt the resolution favoring consolidation, as mentioned in the previous section.

Election under  
supervision of  
county board.

4. The election on the question as to whether said consolidation is to be effected shall be held under the

supervision of the county board of elections of said county, and by the municipalities named in said order, and shall be conducted by the same officers and the same boards conducting said general election. Every resident of said respective municipalities who is entitled to vote at said general election shall be entitled to vote on the question of said consolidation. The officers charged with preparing the ballots to be used in said several municipalities at said general election, shall, in the manner provided by law, place the question upon the ballots to be used at said election in said municipalities in substantially the following form: "Shall (name the several municipalities which it is proposed shall be consolidated) be consolidated and become one municipality?" "Yes." "No."

Who may vote.

Ballots.

Question.

5. The officers and boards conducting said general election shall canvass and certify the votes cast for and against said consolidation in the same way and manner that they canvass and certify the other votes cast at such general election; the result of such canvass shall forthwith be filed by the board of elections of said county with the clerk of said county. The said board of elections shall forthwith certify over their signatures to the justice of the Supreme Court holding the circuit in said county, the result of said canvass, showing distinctly in their certificate the number of votes for and the number of votes against said consolidation in each of said municipalities, and also the number of legal voters in each of said municipalities who voted on said question.

Canvass.

Result certified to judge.

6. If a majority of the legal voters in each of said municipalities voting at said election, vote in favor of said consolidation, the said justice of the Supreme Court, upon being satisfied of the correctness of the returns evidenced by the certificate presented to him, shall so certify upon said certificate, which certificate shall be forthwith filed in the office of the clerk of said county; and said consolidation shall take effect and said municipalities shall, at and after twelve o'clock noon of the first day of January, next but one succeeding such election, constitute and be one municipality of the class of the largest consolidating municipality under the name

If adopted, certificate approved and filed.

When consolidation effective.

Inhabitants  
a body corpo-  
rate.

Rights and  
seal.

Which charter  
to govern.

Ordinances  
in force;  
others void.

Commission  
to fix ward  
and district  
lines.

set forth in the order for said election; and on and after said date and time said municipalities shall constitute and be one municipality, and the inhabitants thereof shall become and be a body corporate, in fact and in law, under said name set forth in said order, and by such name shall have perpetual succession, sue and be sued, prosecute and defend in all courts; it shall have a common seal, upon which shall appear the name of said new municipality and the year it became such. The charter of that consolidating municipality having the largest population according to the last census, National or State, except as modified or affected by the special and general laws governing or affecting said municipality, and all ordinances in force therein, and all rules and regulations of the several boards and departments thereof, shall govern and extend to and cover the whole of such consolidated territory, or municipalities, on and after twelve o'clock noon of the first day of January next but one succeeding such elections. All laws, ordinances, rules, and regulations governing or affecting the other consolidating municipalities shall, so far as said consolidating municipalities are concerned, be null and void, except that all ordinances, rules, and regulations in force in any of said consolidating municipalities at the date fixed for said consolidation, which do not conflict with the ordinances, rules and regulations of said largest municipality, or any of its departments, shall remain in full force and effect within the territorial limits of such former independent municipality, and be enforced therein, until amended or repealed.

7. Upon the filing with the county clerk of said certificate with the endorsement of the justice of the Supreme Court thereon, a commission consisting of the mayor, or other chief executive officer, and clerk of each municipality to be consolidated, and three freeholders thereof appointed by its governing body, shall meet to fix the ward lines and election districts of said new municipality; said commission shall be called together in the month of January immediately following said election by the mayor or other chief executive officer of the said largest municipality, at a time and place

to be fixed by him. Such commission shall organize by selecting a chairman and clerk. The clerk shall keep a record of all proceedings and expenses and file same on or before the first day of July of said same year, in the office of the clerk of the county wherein the municipalities are located, together with an affidavit as to the truth and correctness thereof. Before entering upon the duties of his office, the clerk, and each member of said commission, shall take and subscribe an oath to faithfully and impartially perform the duties of his office; said oaths shall be filed with the clerk of said commission, on the day of its organization, and by him transmitted and filed with the record aforesaid, in the office of the clerk of said county.

Organization.  
Records kept.

Oath.

8. Said commission shall fix and determine the ward lines and election districts in said new municipality, and make a report and certificate over the signatures of a majority of its members, and file the same in the office of said county clerk. Said certificate shall set forth and accurately describe the ward lines and election district lines fixed for said new municipality by said commission, together with a proper map of said new municipality, with the said ward lines and election district lines set out thereon. The clerk of said commission shall cause a copy of said certificate to be certified by the clerk of said county, and shall file said copy in the office of the Secretary of State, on or before the fifteenth day of July of said same year. The wards and election districts fixed and determined, as aforesaid, shall be the wards and election districts of said new municipality, and thenceforth continue as such until changed by operation of law.

Ward lines  
and election  
districts deter-  
mined.

Certified copy  
filed with  
secretary of  
state.

9. All wards in said new municipality shall be formed of contiguous territory, and no election district shall be in more than one ward. In dividing the said new municipality into wards and election districts, the commission shall have regard for, and shall also take into consideration, the election laws of the State, as well as the area and population in all wards and election districts, and shall divide and arrange the same so that

Considerations  
in forming  
wards and  
districts.

Lines published.

Published lines supersede former ones.

Assistants to commission.

Expenses met.

Election of municipal officers.

Primaries.

Elections, how conducted.

Commission to perform clerk's duties.

each will contain, as nearly as possible, an equal number of inhabitants. A notice setting forth the ward lines and the lines of the election districts as fixed by said commission, shall be published by the clerk of said commission once a week in at least one newspaper circulating in the municipalities forming said new municipality, for a period of four weeks next succeeding the filing of the certificate of said commission in the office of the county clerk; the expenses thereof shall be paid by the new municipality. Upon the completion of such publication, the wards and election districts of said consolidating municipalities, as they existed prior to said consolidation, shall be superseded, for all purposes connected with said new municipality.

10. Said commission may employ an engineer and an attorney to assist in performing its duties, and they, as well as the clerk of said commission, shall be allowed and paid by the new municipality for such services as they may render. The members of said commission shall not receive any compensation for their services as such, but all expenses incurred by them in the performance of their duties, when itemized, and sworn to by their chairman and clerk, shall be paid by said new municipality.

11. In all municipalities consolidating as aforesaid, the voters thereof shall, at the general election to be held in the November preceding the January when said consolidation is to be effective, elect all officers and officials of said new municipality in accordance with the charter or laws which shall apply to said new municipality. Any primary election or any proceedings for the nominations of candidates for office in said new municipality, preceding such general election, shall be held in accordance with the election laws of this State. Any primary election and said general election shall be conducted in all respects the same as if said consolidation had become effective.

12. For all purposes connected with said primary or general election, the said commission above provided for shall take all necessary action which may be taken, and



be charged with all the duties imposed by law upon the governing body of municipalities in this State, and the clerk of said commission shall for said purposes take all necessary action which may be taken, and be charged with all the duties imposed upon the clerk of a municipality by the laws of this State.

13. At the primary and general election held next preceding the January when such consolidation is to be effective, there shall be no nominations made or election held for officers of the separate municipalities. The terms of office of all officers and officials of said consolidating municipalities, elected or appointed, except as herein otherwise provided, shall absolutely cease and be at an end at noon on the first day of January next but one succeeding the election at which the question of consolidation was decided in the affirmative.

No nominations.

When terms of office cease.

14. The new municipality formed under the provisions of this act, shall take, hold and possess, enjoy and become absolutely vested with all the rights and properties of the municipalities of which it is formed, and shall be responsible and liable for all contracts, debts and obligations of such municipalities; *provided*, that all taxes or assessments at any time levied or imposed by any municipality thus superseded, remaining outstanding and unpaid, and all other moneys due and owing to any such municipality, and all moneys in the treasury of any such municipality, when said new municipal government goes into effect, shall be collected by said new municipal government, and shall be applied to the purposes for which such moneys were raised or are owing, and if not raised or owing for any specific purpose, shall be applied in the reduction or payment of the bonded or other indebtedness, if any, of such municipality.

Rights, properties, liabilities.

Proviso.

15. Immediately upon the installation of the new municipal government, the mayor or other chief executive officer of said government shall take and receive all cash on hand in the possession or under the control of the fiscal officers of the consolidated municipalities, giving acquittances therefor, and he shall turn the same over

Cash turned over to new fiscal officer.

Transfer of  
books, records,  
etc.

Inventory.

Accounts ex-  
amined and  
audited.

Police.

Firemen.

Volunteer fire-  
men.

to the proper fiscal officer or officers of the new municipality; and the fiscal officers of said consolidating municipalities shall deliver to said mayor or other chief executive officer said cash. Said mayor or other chief executive officer shall also supervise and direct the transfer of all personal property, books, papers, vouchers, or other documents belonging to said consolidating municipalities, to the proper officers of the new municipal government; and he shall cause to be made a complete inventory of all assets, real and personal, thus received by such new municipal government. He shall also forthwith have all the accounts of the consolidating municipalities thoroughly examined and audited by one or more experts or certified public accountants, who shall make a report of their examinations and finding to him, and said report shall be filed with the fiscal records of said new municipality.

16. All members of the police departments of the consolidating municipalities shall, upon the organization of the new municipal government, on the first of January next but one succeeding said election, become and be the police department of the said new municipality, subject to the orders and control of the mayor, or other chief executive officer of said new municipality, until the head of said department be chosen and placed in charge thereof.

17. All paid members of the fire departments of the consolidating municipalities shall, upon the organization of the new municipal government, on the first day of January next but one succeeding said election, become and be paid members of the fire department of said new municipality, subject to the orders and control of the mayor, or other chief executive officer of said new municipality, until the head of said department be chosen and placed in charge thereof.

18. All members of any volunteer fire departments or companies of the consolidating municipalities shall, upon the organization of the new municipal government, on the first day of January next but one succeeding said election, become members of the volunteer fire

department of said new municipality, subject to the orders and control of the mayor, or other chief executive officer of said new municipality, until the head of the fire department of such new municipality be chosen and placed in charge of said department. They shall enjoy the same rights and privileges that they enjoyed in the municipality or department superseded as herein set forth, and such additional rights and privileges as the charter of said new municipality and the laws of the State may provide.

Rights and  
privileges.

19. All principals, teachers, and employees in the public schools of the municipalities forming said new municipality, shall, upon the organization of the new municipal government, on the first day of January next but one succeeding the said election, becoming principals, teachers, janitors and employees respectively in the public schools of said new municipality.

Teachers.

20. The tenure of office and pension laws of this State applicable to principals, teachers, janitors, and employees in the public schools, and to members of police departments, and to paid members of fire departments, shall enure to the benefit of all principals, teachers, janitors, and employees in the public schools, and to members of the police department and paid members of the fire department of said new municipality; and the time of any principal, teacher, janitor and employee in the public schools, and members of the police department, and paid members of the fire department, spent in the service of any of the superseded municipalities, shall be taken into account and computed in determining the rights and privileges of any such principal, teacher, janitor and employee in the public schools, and any member of the police department, and any paid member of the fire department, of said municipality, under said tenure of office and pension laws.

Tenure of  
office and  
pensions.

21. All employees in any library of the consolidating municipalities, on the first day of January next but one succeeding said election, shall become employees of the new municipality in the same capacity as they were employed in the superseded municipality.

Library em-  
ployees.

Position and  
privileges re-  
tained.

22. All members of the police departments, all paid members of the fire departments, and all principals, teachers, janitors and employees in the public schools, and all employees in any library, who retain their said respective positions in said new municipality, as herein provided, shall retain their said positions during good behavior, with the same rights and privileges that they enjoyed in their respective positions in said superseded municipalities.

Permits and  
licenses re-  
main in full  
force.

23. All permits and licenses granted to any place, person, firm or corporation by any of said consolidating municipalities shall, subject to its conditions, remain in full force and effect, and be recognized by said new municipality, until the expiration of the term for which it was granted; *provided*, that nothing herein shall be construed to prevent the revocation of any such permit or license before its expiration in the manner provided by law.

Proviso.

Suits or actions  
not to abate.

24. No suit, action or proceeding pending in any court or before any board or department, wherein any municipality consolidating with one or more other municipalities is a party, or in which it is interested, or by the determination of which it might be affected, shall abate by reason of such consolidation; but such new municipality shall be substituted in the place and stead of such consolidating municipality, and every such suit, action or proceeding shall continue the same as if such consolidation had not taken place. All proceedings for the issue of bonds authorized by any of said consolidating municipalities may be carried to completion and said bonds issued by said new municipality and the officers thereof; and all proceedings pending to enforce the payment or collection of taxes and assessments in any of said consolidating municipalities shall be carried on to completion by the proper officers of said new municipality; and all taxes and assessments theretofore levied and assessed by any of said consolidating municipalities shall be valid and effectual as if originally levied and assessed by the officers of such new municipality; and the collection of all taxes and assessments of any of said consolidating municipalities, unpaid at the time

Bond issues  
completed.

Taxes and  
assessments.

of such consolidation, shall be effected in the manner prescribed by law, or by the ordinances and regulations of each of said consolidating municipalities respectively; and the governing body of said new municipality is hereby authorized to do and perform all necessary acts to confirm and make effectual the levy and assessment of such taxes and assessments, and shall pursue the same rights and remedies for the enforcement and collection thereof, as if the same had been levied and assessed by the officers or boards of said new municipality.

Enforcement  
of collection.

25. This act shall not alter, amend, repeal or in any way affect an act entitled "An act concerning District Courts (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, or the acts amendatory thereof and supplementary thereto.

District Court  
act not af-  
fected.

## ARTICLE VIII.

### DISPUTED BOUNDARIES.

1. Whenever there is a dispute or uncertainty concerning the true boundary line between any two adjoining municipalities, it shall be lawful for the governing body of either of such municipalities, upon fourteen days' notice in writing, served upon the mayor or other chief executive officer and upon the clerk of the adjoining municipality, to make application to the judge of the Court of Common Pleas of the county wherein the disputed boundary line is located, for the appointment of three commissioners to fix, determine and monument said boundary line between said municipalities, which line, when finally fixed, determined and monumented, shall remain inviolate. Said judge of said Court of Common Pleas shall, upon said application being made, unless good reason be presented for his not doing so, appoint said three commissioners who shall be freeholders in said county, one of said commissioners to be appointed from each municipality, and one who shall not reside in either municipality.

Commission  
to determine  
disputed  
boundary lines.

Appointed by  
court.

2. Said commissioners, before they enter upon the execution of their duties under said appointment, shall

Oath of com-  
missioners.

take and subscribe an oath or affirmation before any officer authorized to take an oath, that they will faithfully and impartially perform all the duties appertaining to said appointment.

Notice of  
meeting.

3. Said commissioners, or any two of them, shall give twenty days' notice in writing to the respective municipalities between which such boundary line is in dispute, of the time and place of their meeting to execute the duties of said appointment, which notice shall be served upon the municipal clerks of said respective municipalities.

Witnesses,  
maps.

4. Said commissioners may, in discharge of their said duties, examine witnesses under oath to be administered by any one of said commissioners; they may employ surveyors, and shall cause a map and survey to be made of said boundary line as fixed by them, which map and survey, showing said boundary line, certified under their or any two of their hands, shall be annexed to their report, to which shall also be annexed their commission or appointment, and their oath or affirmation of office. The report of said commissioners, with the papers and map and survey thereto annexed, and which shall form part of said report, shall be delivered to the clerk of said Court of Common Pleas of said county, who shall record and file the same.

Report filed.

Report signed  
by two.

5. A report signed by any two of said commissioners shall be considered as, and shall be the report of said commissioners.

Expenses.

6. All the charges and expenses of executing the duties of said appointment, including the fees of said commissioners and the fees for filing and recording their report, shall be fixed by the judge of the Court of Common Pleas of said county, and one-half of the whole amount so fixed by said judge shall be paid by each municipality.

#### ARTICLE IX.

##### WARDS.

Municipalities  
divided into  
wards.

1. Any municipality may, by ordinance, provide for the division of such municipality into wards, or where such municipality has theretofore been so divided, it

may by ordinance provide for a change of lines and boundaries of the wards or for an increase or decrease in the number thereof.

2. When such ordinance shall have become effective, the mayor or other chief executive officer of such municipality, by and with the advice and consent of the governing body, shall appoint three commissioners, who shall be residents and legal voters of such municipality, and not more than two of whom shall be of the same political party, to fix and define the lines and boundaries of such wards; and such commissioners shall, within ten days after their appointment, take and subscribe, before some other officer duly authorized to administer oaths or affirmations, an oath or affirmation faithfully and impartially to execute and perform the duties imposed upon them; in municipalities having no mayor or other chief executive officer, said commissioners shall be appointed by the governing body of such municipality by resolution. If the mayor or other chief executive officer, or governing body, shall not appoint such commissioners, as above provided, then the Supreme Court justice holding the circuit in which such municipality is located, shall, upon petition, appoint said three commissioners.

Commission appointed by mayor to define ward lines.

Oath.

When appointed by judge.

3. Said commissioners shall, within sixty days after their appointment, make their report to the governing body of such municipality, and file the same with the clerk of such municipality, in which report the boundaries and dividing lines of such wards shall be properly described, with a statement of the population of each ward, as nearly as can be ascertained, and a map showing said lines and the extent and boundaries of such wards shall be made and filed by said commissioners with said report; all of which shall be attested and certified by the said commissioners under their hands, and shall remain of record in the office of the clerk of such municipality. Ten days after the making and filing of said report, the lines and boundaries of such wards shall be as set forth in the report of said commissioners, and all other and former ward lines and boundaries shall thereupon be abolished, and the wards so designated

Report, what to show.

Former lines abolished.

and described by said commissioners shall be and continue the wards of such municipality; and thereafter all officers elected or appointed in such municipality, for or representing the wards thereof, shall be appointed for or elected from the wards as fixed by said report.

When changes made.

4. No change in the number of wards, or in the lines and boundaries of wards in any municipality, shall be made oftener than once in five years.

Wards contiguous.

5. All such wards shall be formed of contiguous territory, and in fixing the lines and boundaries of wards, said commissioners shall have regard to equality of population.

Assistants to commission.

6. The acts of a majority of said commissioners shall be deemed and taken to be the acts of all the said commissioners, and a report signed by two of said commissioners shall be considered the report of said commissioners. Said commissioners shall be entitled to the aid and assistance of any surveyor and other persons in the employ of such municipality, and shall, where necessary, have power and authority to employ a competent surveyor, and other assistants, to aid them in the discharge of their duties.

Expenses of commission.

7. The necessary expenses of said commissioners, and the compensation for their services, and the compensation for the services of a surveyor and other assistants when it has been necessary to employ such, shall be fixed by the governing body by resolution, and paid by such municipality.

Continuance of officers.

8. All officers elected or appointed for existing wards in any such municipality, wherein the ward lines are changed or new wards created, as herein provided, shall continue in office until their respective terms of office shall expire and until others are duly appointed or elected to take their places; after such change in ward lines or the creation of new wards, such number of officers shall be elected or appointed from such new wards as may have been elected or appointed from wards as they formerly existed in such municipality.

Wards divided into election districts.

9. When any municipality is divided into wards, or a change is made in the lines or boundaries of wards, or the number of wards increased or decreased, as here-



inbefore provided, it shall be the duty of the commissioners to divide said wards into election districts or precincts.

10. Whenever the population of any ward in any municipality, according to any State or National census, shall exceed the population of any other two wards of such municipality, the governing body shall provide for the readjustment of or the increase or decrease of the number of such wards in the manner above provided; *provided, however*, that no such change shall be made oftener than once in five years.

Readjustment  
of wards.

Proviso.

## ARTICLE X.

### ORDINANCES.

1. The term "ordinance" when used in this act means any act or regulation of the governing body of any municipality reduced to writing, and required to be read at more than one meeting thereof, and published. The term "resolution" means any act or regulation of the governing body reduced to writing and which may be finally passed at the meeting at which it is introduced.

Ordinance and  
resolution de-  
fined.

Nothing herein shall repeal any law effective in any municipality concerning the procedure for the passage and publication of any ordinance or resolution, except that no ordinance may be finally passed unless it has been read in substantially its final form at a meeting held at least one week prior to its final passage, and has been published in a newspaper circulating in the municipality at least two days prior to its final passage. Such publication shall contain a notice stating the time and place when and where the governing body will consider the final passage thereof. Before any ordinance shall take effect such ordinance or its title shall be published at least once in a newspaper circulating in such municipality.

Procedure for  
passage of  
ordinances and  
resolutions.

2. All ordinances in effect in any municipality at the time of the passage of this act shall remain in full force and effect, notwithstanding the passage hereof, except in so far as they are inconsistent with the provisions

Ordinances  
in effect.

hereof, until they are amended, altered or repealed by the governing body of such municipality.

Printing and :  
distribution of  
ordinances.

3. The governing body of every municipality may provide for the printing and distribution or sale of the ordinances thereof in book form, a copy of which, when certified by the chief law officer of the municipality, shall be received in evidence in all courts as fully as if the original ordinances were produced and offered in evidence. There may be included in any printed book of ordinances the charter of the municipality or such of the general laws of the State relating to the municipality as the governing body may direct to be included therein.

Received as  
evidence.

Revision of  
ordinances.

4. The governing body of every municipality may from time to time provide for the revision and codification of ordinances of the municipality under the direction of the counsel or attorney of the municipality, or some other counsellor at law, and shall have power to arrange and provide adequate compensation therefor. In case such work is done by the counsel or attorney of the municipality, such compensation shall be in addition to any salary paid such officer.

Revision when  
two boards  
pass ordi-  
nances.

5. In municipalities wherein there are two or more boards having power to pass ordinances, the body or board in charge of the finances of the municipality may provide for the revision and compilation of all ordinances of the municipality, and may employ some counselor at law to assist in such compilation and revision. The person so employed shall submit to each governing body of the municipality, a compilation and revision of its ordinances; each such governing body shall consider the same and direct such changes to be made therein as it may think advisable, and may then accept and adopt such revised ordinances. All such ordinances so compiled and revised and adopted, shall be reported by the person in charge of such compilation and revision to the body having charge and control of the finances, which shall order the same, or so much thereof as may be general in nature, to be published in book form.

Submission to,  
and considera-  
tion by, both  
boards.

Ordinances  
published.

Repealing.

6. Nothing herein shall operate the repeal of any ordinance not included in such compilation and revision,

except such as are repealed directly or by necessary implication.

7. The governing body of every municipality may prescribe a penalty or penalties for the violation of any ordinance or ordinances it may have authority to pass, either by imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, not exceeding ninety days, or a fine not exceeding two hundred dollars, or both. The magistrate before whom any violator of any such ordinance is convicted shall have power to impose any fine or term of imprisonment not exceeding the maximum fixed in such ordinance. In default of the payment of any fine imposed thereunder, any person convicted of the violation of any ordinance of any municipality may, in the discretion of the magistrate by whom he was convicted, be imprisoned in the county jail, or any place of detention provided by the municipality, for any term not exceeding ninety days.

Penalties for violations of ordinances.

Power of magistrate.

Imprisonment in default of fine.

8. There may issue out of the court of any magistrate empowered to impose fines for the violation of any municipal ordinance, execution against the goods and chattels of any person convicted in said court or before said magistrate. Such execution shall be levied and enforced in the same manner as are executions from the Small Cause Court.

Execution to secure fine.

## ARTICLE XI.

### CONTRACTS.

1. No municipality shall enter into any contract for the doing of any work or for the furnishing of any materials, supplies or labor, the hiring of teams or vehicles, where the sum to be expended exceeds the sum of five hundred dollars, unless the governing body shall first publicly advertise for bids therefor, and shall award the said contract for the doing of said work or the furnishing of such materials, supplies or labor to the lowest responsible bidder; *provided*, this section shall not prevent any municipality having any work done by its own employees.

Expenditures over \$500 by contract.

Proviso.

Proposals for supplies.

2. Every governing body shall, at intervals to be fixed by it, solicit proposals by public advertisements, for the furnishing of all materials or supplies usually required by it, or any department under its control, and shall award a contract therefor to the lowest responsible bidder.

Advertising for bids

3. All advertisements for bids under this article shall be published at least once ten days prior to the date fixed for receiving such bids, in a newspaper circulating in the municipality. Said advertisements shall designate the time and place of the meeting at which said bids shall be received. At such time and place the said governing body, or any committee having authority so to do, shall receive such bids, and thereupon immediately proceed to unseal the same and publicly announce the contents in the presence of the parties bidding or their agents, providing said parties or agents choose to be then and there present, and also make proper record of the prices and terms upon the minutes of the body; no bids shall be received previous to the hour designated in the advertisement, and none shall be received thereafter.

Public announcement of contents of bids.

Municipal purchasing board.

4. The body in charge of the finances of every municipality may by ordinance provide for the organization of a board composed of officials or members of the governing body or bodies of such municipality, to be known as the Purchasing Board, which board shall have authority to purchase all materials and supplies required to be purchased by any board or body in such municipality.

Deductions when work exceeds time allotted.

5. Every contract entered into by any municipality for any improvement shall contain a provision for a deduction from the contract price of the wages paid by the municipality to any inspector or inspectors necessarily employed on such work by the municipality for any number of days in excess of the number stated in the specifications as the number of working days to be allowed for the completion of such improvement. All specifications for the work of any improvement shall fix the date before which the same shall be completed

or the number of working days to be allowed for the completion thereof.

## ARTICLE XII.

### OATHS AND BONDS OF OFFICERS AND EMPLOYEES.

1. Every person hereafter elected or appointed to any office in any municipality, shall, before assuming said office, take and subscribe an oath or affirmation that he will faithfully and impartially discharge the duties of his office. Said oaths and affirmations shall be filed with the clerk of such municipality, who shall preserve the same. Oath.

2. Every officer or employee of any municipality who, by virtue of his office or position, may be entrusted with the receipt, custody, or expenditure of any money or funds whatsoever, and any other officer or employee as may be required so to do by the governing body of any municipality, shall, before entering upon the duties of his office, make and execute, and deliver his bond for the true and faithful performance of his duties; said bonds shall be made to the municipality in its corporate name, and shall be in such form and for such sum, and with such surety, as the governing body of such municipality shall, by ordinance or resolution, direct and require. Bond for performance of duty.

3. All such bonds shall be filed with the clerk of such municipality, except the bond of such clerk, which shall be filed with the treasurer of said municipality. Said bonds shall be preserved for and be the property of said municipality. Bond filed with municipal clerk.

4. When so required by the governing body, said bonds, or any of them, shall be recorded in the office of the clerk of the county in which such municipality is situate. Bonds recorded by county clerk.

5. A copy of any such bond, certified by any such county clerk, shall be received in evidence in all courts of this State, and be as good and available in law as if the original bond were produced and proved. Certified copy of bond as evidence.

6. Upon application made in writing to the judge of the Court of Common Pleas in any county wherein any Investigation, alleging that bond has been broken.

such municipality is situate, by any citizen and taxpayer thereof, alleging that the condition of the bond of any officer or employee of such municipality has been broken, said judge shall make such investigation touching the truth of such allegations as he shall think proper, and, in his discretion, may order suit to be brought upon said bond, in the name of the municipality or otherwise, for the benefit of such municipality, or any officer, board or department thereof.

### ARTICLE XIII.

#### SALARIES.

Salaries of  
officers, em-  
ployes, etc.

1. The governing body of every municipality shall have power and authority, by ordinance, notwithstanding any maximum or minimum limitation now fixed by statute, to fix and determine the amount of salary, wages and compensation to be paid to each officer, employee, servant and agent of such municipality who, by law, is entitled to be paid a salary, wage or compensation, excepting the members of any governing body therein whose salaries shall be fixed by vote of the legal voters as hereinafter provided; and also excepting all officers whose salaries shall have been adopted or determined by a referendum vote of the voters in such municipality, which salaries shall not be changed except by another and further referendum vote therefor; *provided*, that this section shall not authorize the increase or decrease of the salary of any officer during the term for which he was elected or appointed or within the period intervening between the election of an officer and his assumption of the duties of his office, except as herein otherwise provided.

Proviso.

Salaries of  
governing  
body.

2. Salaries, wages or other compensation shall not be paid the members of any governing body until the legal voters of such municipality shall have voted for the payment of such salaries, wages or other compensation at a general election held in such municipality; *provided, however*, that this section shall not apply to municipalities governed under the provisions of an act entitled "An act relating to, regulating and providing for

Proviso.

the government of cities, towns, townships, boroughs, villages and other municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven.

3. In case the governing body of any municipality shall deem it advisable to fix the salary of its members or of any officer in cases where under the provisions hereof it is necessary to have a referendum vote thereon, such governing body shall pass an ordinance definitely fixing such salary with the date when the same shall commence. The clerk of the municipality shall forthwith forward a certified copy of such ordinance to the proper officer, notifying such officer that a vote is desired upon the question. Such officer shall, in the manner provided by law, place the same upon the ballots used at the next general election in such municipality in substantially the following form: "Shall the salary of the.....(Title of officer) of..... (Name of municipality) be fixed at..... (amount) per annum? "Yes." "No." If a majority of the legal voters voting at such election shall vote "Yes," the salary so adopted shall be paid to the members of said governing body or officer legally occupying such office on and after the date specified and until the said salary shall be again changed by a referendum vote as aforesaid. In case a majority of the legal voters voting at such election shall vote "No," the salary paid such officer shall continue as theretofore; *provided*, that the salary to be paid any officer shall not be voted upon more than once in three years.

Fixing salaries  
by referendum.

Ordinance.

Question on  
ballot.

Result.

Proviso.

4. Any salary, wage or other compensation now paid to a member of any governing body, officer, employee, agent or servant shall not be affected by the provision hereof, but shall continue until changed in accordance with the provisions hereof; *provided*, this section shall not authorize the payment or acceptance of any salary, wage or other compensation not authorized by law.

Existing pay  
not affected.

Proviso.

5. It shall be lawful for the governing body of any municipality, by ordinance, to modify, from time to time, the salary of such municipal officers as hold their

Salary may  
be modified.

offices during good behavior or for an indefinite term; but not more than one change shall be made in any such salary during any fiscal year.

Municipality  
may contract  
with officer for  
smaller salary.

6. It shall be lawful for the governing body of any municipality to enter into and make a contract with any officer of such municipality to perform the duties of his office at a salary less than that fixed by any law affecting such municipality, and when such contract shall be entered into as aforesaid, such officer shall not be entitled to receive or recover from such municipality any other compensation than shall be fixed by such contract.

Payments of  
salaries and  
wages.

7. It shall be lawful for the governing body of any municipality to provide, by ordinance, for the manner in which and time at which salaries, wages and compensation for services shall be paid, and to prescribe the form and manner in which warrants upon the public treasury of such municipality shall be drawn and signed for the purpose aforesaid; and all payments and disbursements made, and all warrants drawn in accordance with the terms of an ordinance duly passed for that purpose by the said governing body of any municipality, shall be deemed and taken to be in all respects regular and lawful.

#### ARTICLE XIV.

##### GENERAL REGULATIONS.

Purposes of  
ordinances:

1. The governing body of every municipality shall have power to make, publish, enforce, amend or repeal ordinances for the following purposes:

Finances and  
property;

(a) To manage, regulate and control the finances and property, real and personal, of the municipality.

Contracts;

(b) To prescribe the manner in which all contracts for performing work or furnishing materials for the municipality shall be made and executed, and the form and manner of execution and approval of all guarantee, indemnity, fidelity and other bonds to be given to the municipality.

Services and  
pay of officers  
and employees;

(c) To provide for the employment and compensation of such officials and employees, in addition to those



provided for by statute, as may be deemed necessary for the proper and efficient conduct of the affairs of the municipality.

(d) To prescribe and define, except as otherwise may be provided by statute, the duties and terms of office of all officers, clerks and employees of the municipality.

Duties and term of officers, etc.;

(e) To fix the fees to be paid to any officer, clerk, or employee of the municipality for any service rendered to any person or persons in connection with his office or position, for which no specific fee or compensation is provided. Such fee in the case of salaried officers shall be paid into the treasury of the municipality.

Fees.

(f) To provide that any officer, official or employee of the municipality who receives compensation for his services as such officer, official or employee, in whole or in part by fees, whether such fees are paid by the municipality or otherwise, shall thereafter be paid a salary to be fixed as therein stated. All fees thereafter received by such officer, employee or official, shall be paid into the treasury of the municipality.

Salary instead of fees;

(g) To prevent vice, drunkenness and immorality; to preserve public peace and good order; to prevent and quell riots, disturbances and disorderly assemblages.

All fees paid into treasury;

Good order;

(h) To restrain and punish drunkards, vagrants, mendicants and street beggars; to prevent loitering, lounging or sleeping in the streets, parks or public places.

Punish offenders;

(i) To regulate the ringing of bells and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises.

Auctions and noises;

(j) To regulate or prohibit swimming or bathing in the waters of, in or bounding the municipality, and to regulate and prohibit persons from appearing in any or all of the public streets and places clad in bathing robes or other costumes of a similar character.

Swimming, and appearing in bathing suits;

(k) To regulate or prohibit any practice having a tendency to frighten animals or to annoy persons in the streets or on the sidewalks in such municipality.

Annoying persons and animals;

- Pounds; (l) To establish and regulate one or more pounds, and to prohibit, restrain and regulate the running at large of horses, cattle, dogs, swine, goats and other animals, and to authorize the impounding and sale of the same for the penalty incurred and the costs of keeping, impounding and sale; and to regulate or prohibit the keeping of swine, goats or cattle in any part of such municipality; and to authorize the destruction of dogs running at large.
- Hucksters; (m) To prescribe and regulate the place of vending or exposing for sale articles of merchandise from wagons or other vehicles.
- Building regulations. (n) To regulate and control the construction, erection, alteration and repair of buildings and structures of every kind in such municipality.
- Wooden structures; (o) To prohibit within certain limits the building, erection or alteration of any building or structure of wood or other combustible materials.
- Inflammable materials; (p) To regulate the use, storage, sale and disposal of inflammable or combustible materials, and to provide for the protection of life and property from fire, explosions and other dangers; and to provide for inspections of buildings, docks, wharves, warehouses and other places, and any goods and materials therein contained, to secure the proper enforcement of such ordinances.
- Inspect docks, warehouses, etc. (q) To provide for the removal or destruction of any building, wall or structure which is or may become dangerous to life or health, or which might tend to extend a conflagration.
- Dangerous walls or buildings. (r) To regulate the construction and setting up of chimneys, furnaces, stoves, boilers, ovens or other contrivances in which fire is used.
- Chimneys, furnaces, etc. (s) To regulate, in conformity with the statutes of this State, the manufacture, sale, storage, keeping or conveying of gunpowder, nitroglycerine, dynamite or other explosive material.
- Explosives; (t) To regulate and prohibit the sale and use of guns, pistols, firearms and fireworks of all descriptions.
- Firearms, etc.; (u) To regulate the use of soft coal in locomotives, factories, power houses and other places.
- Soft coal; .

(v) To regulate the use of and the exits from public halls, schools, churches and other public places where numbers of people assemble, so that escape therefrom may be easily and safely made in case of fire or panic.

Use of schools, churches etc.

(w) To regulate the use of all places of public amusement, and the machinery, scenery, lights, wires and all other apparatus, equipment and appliances used therein.

Theatres;

(x) To regulate excavations below the established grade or curb line of any street in any such municipality, not greater than eight feet, which the owner of any land may make, in the erection of any building upon his own property; and to provide for the giving of notice, in writing, of such intended excavation to any adjoining owner or owners, and that they will be required to protect and care for their several foundation walls that may be endangered by such excavation; and to provide that in case of the neglect or refusal, for ten days, of such adjoining owner or owners to take proper action to secure and protect the foundations of any adjacent building or other structure, that the party or parties giving such notice, or their agents, contractors or employees, may enter into and upon such adjoining property and do all necessary work to make such foundations secure, and may recover the cost of such work and labor in so protecting such adjacent property; and to make such further and other provisions in relation to the proper conduct and performance of said work as the governing body or board of the municipality may deem necessary and proper.

Excavations;

Protect foundation walls;

(y) To regulate and prohibit the distribution, depositing or leaving on the public streets or highways, public places or private property, or at any private place or places within any such municipality, any medicine, medicinal preparation or preparation represented to cure ailments or diseases of the body or mind, or any samples thereof, or any advertisements or circulars relating thereto; *provided, however*, that no ordinance shall prohibit a delivery of any such article to any person above the age of twelve years willing to receive the same.

Distribution of samples of medicines;

Proviso.

- Boating;** (z) To regulate the use of motor and other boats upon waters within or bounding the municipality.
- Fire-escapes:** (aa) To provide for the erection of fire-escapes on buildings in the municipality and to provide rules and regulations concerning the construction and maintenance of the same, and for the prevention of any obstruction thereof.
- Injured employees;** (bb) To provide for the payment of compensation and for medical attendance to any officer or employee of the municipality injured in the performance of his duty.
- Bulkheads:** (cc) To fix and determine the lines of bulkheads or other works or structures to be erected, constructed or maintained by the owners of lands facing upon any navigable water in front of their lands, and in front of or along any highway or public lands of said municipality, and to designate the materials to be used, and the type, height and dimensions thereof.
- Life saving guard;** (dd) To establish, maintain, regulate and control a life guard upon any beach within or bordering on the municipality.
- Fences.** (ee) To regulate the size, height and dimensions of any and all division or partition fences between the lands of any two or more adjoining owners, whether built or erected as division or partition fences between such lands, and whether the same exist or be erected entirely or only partly upon the lands of any such adjoining owners, or along or immediately adjacent to any division or partition line of such lands; and may provide, in such ordinance, for the manner of securing, fastening or shoring the same; and, in the case of fences thereafter erected contrary to the provisions thereof, may provide for a penalty for the violation of such ordinance; and in the case of such fence or fences erected or existing at the time of the passage of any such ordinance, may provide therein for the removal, change or alteration thereof, so as to make such fence or fences comply with the provisions of any such ordinance.

2. Every municipality shall have power to make, enforce, amend and repeal such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as they may deem necessary and proper for the good government, order, protection of persons and property, and for the preservation of the public health, safety and prosperity of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this act or by any law of this State.

Necessary ordinances.

3. All moneys received from any source by or on behalf of any municipality, or by any board or department thereof, except school moneys, shall be paid to the treasurer or other officer charged with the custody of the general funds of the municipality.

Moneys received paid into treasury.

4. In all cases where the governing body has not designated the officer or officers to issue, countersign and audit, and the manner of issuing all warrants for the disbursement of money, the same shall be drawn on the treasurer or general custodian of the funds of the municipality, and signed by the mayor or other chief executive officer of the municipality, and by the clerk or comptroller or auditor thereof.

Disbursement of money.

5. No money shall be paid by any officer of any municipality to any person, firm or corporation until such payment shall have been approved by the mayor or other chief executive officer of the municipality.

Payments approved by mayor.

6. The governing body may by ordinance prescribe the manner in which the mayor or other chief executive officer shall indicate his approval or disapproval of any such payment; unless otherwise provided by ordinance, all claims against any municipality and debts to be paid thereby, shall be presented to the mayor or other chief executive officer of such municipality for his approval or disapproval.

Ordinance to prescribe approval or disapproval.

7. It shall be the duty of the mayor or other chief executive officer of the municipality, within ten days after the receipt of any claim, if approved by him, to deliver the same to the officer entitled thereto, with such approval noted, and if disapproved by him, to de-

Mayor's action on claims.

liver the same with reasons for his disapproval to the proper officer.

Payment after  
mayor's dis-  
approval.

8. The board or body presenting any claim for approval, shall have power by majority vote of all its members to order the same paid, notwithstanding the disapproval of the mayor or other chief executive officer, in which case the same shall be paid and proper warrant issued therefor, in the same manner as other bills are paid.

## ARTICLE XV.

### LICENSES.

Licenses:

1. The governing body of every municipality shall have power to make, enforce, amend or repeal ordinances to license and regulate:

Sundry ve-  
hicles;

(a) Hacks, coupes, cars, omnibuses, stages, wheel chairs, and all other vehicles used for the transportation of passengers, baggage, merchandise, and goods and chattels of any kind, and the owners and drivers of all such vehicles;

Various public  
servants;

(b) Cartmen, expressmen, baggagemen, porters, auctioneers, common criers, hawkers, peddlers, pawn-brokers, employment agencies, junk shop keepers, junk dealers, street sprinklers, bill posters, bill tackers, sweeps, scavengers, itinerant venders of merchandise, medicine and remedies, and the place or places or premises in which or at which the different kinds of business or occupations mentioned herein are carried on or conducted;

Hotels, res-  
taurants, etc.

(c) Bath houses, swimming pools, restaurants, hotels, boarding houses, lodging houses or other places used for sleeping or lodging purposes, and the keepers thereof;

Circuses, en-  
tertainments,  
parades, shows,  
dance halls,  
billiard sa-  
loons;

(d) Traveling or other shows, circuses, plays, dances, exhibitions, concerts, theatrical performances, and all street parades in connection therewith; and also theatres, show houses, opera houses, concert halls, dance halls, pool or billiard parlors, exhibition grounds, and all other places of public amusement;

(e) All signs or other objects projecting beyond the building line, into or over any public street or highway; also all street stands for the sale or distribution of merchandise or other articles. Signs and street stands.

2. Such governing body shall have power to fix the fees for such licenses, which may be imposed for revenue, and to prohibit all persons and places and all vehicles unlicensed from acting, using or being used in said capacities and for such uses and purposes. License fees.

## ARTICLE XVI.

### POLICE.

1. The governing body of every municipality shall have power to make, enforce, amend or repeal ordinances to establish, maintain, regulate and control a police department, and to prescribe and establish just rules and regulations respecting such department for the better government and discipline thereof. Establish, regulate, etc., police.

2. The members of every such municipal police department shall have power to serve and execute all process issuing out of the police court of the said municipality, by whatever name the same shall be known, and shall have all the powers of constables elected in any such municipality, except as to the service of civil process out of the courts other than the police court of the municipality. Execute process; powers of constables.

3. The officers and men employed in every municipal police department shall severally hold their respective offices and continue in their respective employment during good behavior, efficiency and residence in the municipality wherein they are respectively employed; and no person shall be removed from office or employment in any such police department or from the police force of any such municipality for political reasons, or for any other cause than incapacity, misconduct, non-residence or disobedience of just rules and regulations established or which may be established for the police force in such municipality; *provided*, that any member of any such police force who shall be absent from duty without just cause for the term of five days continu- Tenure of police.

Causes for removal.

Proviso.

Citizenship.	ously, shall at the expiration of such five days cease to be a member of such police force; each member and officer of any such police force shall be a citizen of the United States and a resident for two years next preceding his appointment of the municipality in which he is appointed; he must be of good moral character, sound in body and in good health, and able to read and write the English language intelligently; <i>and provided, further</i> , that it shall be lawful for the board, body or person in the respective municipalities of this State having authority to employ members of the police department therein, to employ officers or men temporarily in case of emergency or for parts of years, in cases where their services are not needed throughout the entire year, and discharge them at the expiration of such temporary employment.
Qualifications.	
Proviso.	
Morals.	4. No person shall be appointed an officer or member of the police force of any municipality who has been convicted of a crime involving moral turpitude, or who is less than twenty-one or more than fifty-five years of age at the time of his appointment.
Age.	
Procedure to effect removal.	5. No person, whether officer or employee in any such police department, shall be removed from office or employment therein, except after just cause, as hereinabove provided, and then only after written charge or charges of the cause or causes of complaint shall have been preferred against such officer or employee, signed by the person or persons making such charge or charges and filed in the office of the municipal officer, officers or board having charge of the department in which the complaint arises, and after the charge or charges shall have been publicly examined into by the appropriate board or authority upon reasonable notice to the person charged; it being the intent of this act to give every person against whom a charge or charges for any cause may be preferred under this act, a fair trial upon said charge or charges, and every reasonable opportunity to make his defense, if any he has or chooses to make; and the officer, board or authority having power to hear and determine such charge or charges shall have power to issue writs of subpoena to compel the attendance of
Charges.	
Fair trial.	
Witnesses, subpoenas.	



witnesses, and every person who neglects or refuses to obey the command of such a writ shall be liable to a penalty of twenty-five dollars, to be sued for in the corporate name of the municipality in any court of competent jurisdiction, and the penalty when collected shall be paid into the poor fund, if any, of such municipality, and if no poor fund then to be paid into the general fund of such municipality.

6. The governing body of every municipality shall have power to acquire by purchase, gift or condemnation such land, and to erect and maintain thereon such buildings and structures as it may deem useful or necessary for the police department thereof, and for the detention of prisoners, witnesses and others, and to repair, alter, enlarge, improve, and reconstruct the same from time to time; to provide a police signal system, and such vehicles, apparatus and equipment as it may deem necessary or useful for such police department, or in connection with the service to be rendered thereby; every such governing body may lease for a term of not more than five years any building or part thereof for the use of a police department, and may renew any such lease within a year of its expiration for a like term.

Buildings,  
equipment,  
signal system,  
vehicles.

May lease  
property.

7. The governing body of every municipality shall have power to appoint special policemen for a term not exceeding one year; such special policemen shall not be members of the police force and their powers, rights and duties shall immediately cease and determine at the expiration of the term for which they were appointed. Any such appointment may be revoked at any time without cause and without hearing. Such officers may be furnished with a badge upon the deposit of a sum to be fixed by the governing body, which may be refunded on the return of the badge. A fee may be charged for issuing to any such officer a certificate of appointment.

Special police.

Revocation.

Badge.

8. The governing body of a municipality may contract for the furnishing to the police department of a police patrol or ambulance service, upon such terms as may seem just to the governing body.

Contract for  
patrol or  
ambulance  
service.

Sale of re-  
covered prop-  
erty in posses-  
sion of police.

Disposition of  
proceeds.

Unclaimed  
money.

9. All goods and chattels which shall come into the possession of the police department of any municipality by finding, or by being recovered as the result of theft or robbery, and which shall be in the possession of the police department for one year, and when the owner or owners are unknown, cannot be found, or refuse to receive said goods or chattels, may, in whole or part, be exposed for sale by the governing body at public auction in some public place after notice of such sale shall have been published in some newspaper circulating in the municipality in which said goods and chattels are held; goods and chattels of a perishable nature, so held by a police department, may be sold as promptly as may be necessary to avoid loss. All money received from the sale of any such goods and chattels shall be paid into the police pension fund where such exists, and where no such fund exists, the same shall be paid into the treasury of the municipality to be used for the purposes of the municipality. All unclaimed money coming into the possession of any police department shall, after one year, be likewise paid into any such pension fund where one exists, otherwise into the treasury of the municipality.

## ARTICLE XVII.

### FIRE DEPARTMENT.

Establish,  
regulate, etc.,  
fire depart-  
ment.

Proviso.

Proviso.

1. The governing body of every municipality shall have power to make, enforce, amend or repeal ordinances to establish, maintain, regulate and control a fire department, to regulate and control the appointment and removal of the officers and members thereof, their duties and compensation; *provided, however*, that this section shall not repeal any act in effect in any municipality in this State regulating the tenure, compensation or hours of service of the officers or members of any fire department therein; *and provided, further*, that nothing herein shall make void or repeal any act for the organization or maintenance of any volunteer fire company or department, nor shall this section repeal any provision of any statute providing for the creation or maintenance of fire districts.

The governing body in any municipality organizing any paid fire department may disband any volunteer fire department therein.

Paid department.

2. In every municipality the governing body shall have power to acquire by purchase, gift or condemnation, such land, and to erect, furnish and maintain thereon such buildings and structures as it may deem necessary or useful for a fire department thereof, and to repair, alter, improve, enlarge and reconstruct the same from time to time; to provide and maintain an alarm system, and such engines, apparatus and equipment as may be necessary or useful for the fire department or in the prevention and extinguishment of fires, and to repair, alter, improve and replace the same from time to time, and to take all necessary action for the prevention and extinguishment of fires.

Land, buildings.

Fire alarm, apparatus, equipment.

3. The officers and men employed in every municipal paid fire department shall severally hold their respective offices and continue in their respective employment during good behavior, efficiency and residence in the municipality wherein they are respectively employed; and no person shall be removed from office or employment in any such paid fire department, or from the paid fire department of any such municipality, for political reasons, or for any other cause than incapacity, misconduct, nonresidence or disobedience of just rules and regulations established or which may be established for the paid fire department in such municipality; *provided*, that any member of any such paid fire department who shall be absent from duty without just cause for the term of five days continuously shall, at the expiration of such five days, cease to be a member of such paid fire department; each officer and member of any such paid fire department shall be a citizen of the United States and a resident for two years next preceding his appointment of the municipality in which he is appointed; he must be of good moral character; sound in body and in good health, and able to read and write the English language intelligently; *and provided, further*, that it shall be lawful for the board, body or person in the respective municipalities of this State having au-

Tenure of firemen.

Causes for removal.

Proviso.

Citizenship.

Qualifications.

Proviso.

Emergency.	thority to employ members of the fire department therein, to employ officers or men temporarily in cases of emergency, or for parts of years in cases where their services are not needed throughout the entire year, and discharge them at the expiration of such temporary employment.
Morals.	4. No person shall be appointed an officer or member of the paid fire department of any municipality who has been convicted of a crime involving moral turpitude, or who is less than twenty-one or more than fifty-five years of age at the time of his appointment.
Age.	
Procedure to effect removal.	5. No person, whether officer or member in any such paid fire department, shall be removed from office or employment therein, except after just cause, as hereinabove provided, and then only after written charge or charges of the cause or causes of complaint shall have been preferred against such officer or member, signed by the person or persons making such charge or charges and filed in the office of the municipal officer, officers or board having charge of the department in which the complaint arises, and after the charge or charges shall have been publicly examined into by the appropriate board or authority, upon reasonable notice to the person charged; it being the intent of this act to give every person against whom a charge or charges for any cause may be preferred under this act, a fair trial upon said charge or charges and every reasonable opportunity to make his defense, if any he has or chooses to make; and the officer, board or authority having power to hear and determine such charge or charges shall have power to issue writs of subpoena to compel the attendance of witnesses, and every person who neglects or refuses to obey the command of such a writ shall be liable to a penalty of twenty-five dollars, to be sued for in the corporate name of the municipality in any court of competent jurisdiction, and the penalty, when collected, shall be paid into the poor fund, if any, of such municipality; and if no poor fund, then to be paid into the general fund of such municipality.
Charges.	
Fair trial.	
Witnesses, subpoenas.	

## ARTICLE XVIII.

## PUBLIC LANDS AND BUILDINGS.

1. Every municipality shall have power to hire, purchase, erect or otherwise acquire, and maintain, such building or buildings as may be necessary and suitable for the transaction of municipal business, the location of public offices and for the use of any department or departments, officer or officers of such municipality, or for any other municipal or public use or purpose whatsoever, and from time to time, as may be necessary, to repair, alter, enlarge or rebuild any such building, and to furnish and equip the same with the necessary furniture and equipment for the proper use thereof, and to repair and renew such furniture and equipment from time to time as may be necessary.

Public office  
buildings.

Any such building or buildings may be erected on any land owned by the municipality and not needed for some other municipal or public use or purpose, or said municipality may acquire the necessary land for any such building or addition thereto, and for suitable grounds surrounding the same by purchase, gift or condemnation.

Land.

2. In case any public building in any municipality shall become inadequate, incommodious or ill-adapted for the use of the municipality or shall have been destroyed, or while the same is being repaired or altered, the governing body of such municipality may hire any building useful for the purpose temporarily and transfer to such hired building any offices or departments of such municipality as may be necessary.

Temporary  
quarters.

3. The governing body of any municipality may grant to any organization composed of veterans of any war of the United States, the use of any room or rooms in any building owned by such municipality.

Quarters for  
veterans.

4. In case any portion of any building owned by a municipality is not presently needed for the use of the municipality, the governing body may rent such portion for private purposes to the person or persons who will pay the highest rent therefor for any use not detri-

Portion may  
be rented.

mental to such building or the use of the remainder by the municipality.

Joint departmental use.

5. The governing body of any municipality may acquire land and erect and maintain thereon buildings and structures suitable for the joint use of two or more departments of the municipality. In any municipality where there is more than one governing body, as defined by this act, two or more of said bodies may unite in the purchase or condemnation of land and the erection and maintenance of buildings thereon suitable for use in common by the departments or parts thereof under said bodies so joining. Any governing body in any municipality may permit any other governing body therein to use any portion of any land or building controlled by it, upon such terms and conditions as may be agreed upon between them.

Power to acquire lands waters, etc.

Proviso.

6. Every municipality shall have power to acquire by purchase, gift or condemnation any lands, easements, materials, waters, water rights or property or any estate or interest therein, either within the municipality or beyond its limits, which its governing body may deem necessary or useful for the proper exercise of any power lawfully conferred upon it; *provided*, this section shall not repeal any provision requiring the consent of another municipal corporation or any State authority to the acquiring of any such lands, easements, materials, waters, water rights or property, or any estate or interest therein.

Right of entry for purpose of examination.

7. Every municipality proposing to acquire any lands, easements, materials, waters, water rights, or property or any interest therein, may enter upon such lands or waters and make such examinations, explorations and measurements as may be necessary and proper, doing thereby as little damage as possible, being responsible to the owner thereof for any such damage.

Acquire easement in land.

8. Any municipality in possession of any land may acquire by purchase, gift or condemnation any outstanding right, interest or easement therein.

Dispose of unnecessary property.

9. Every municipality may sell or dispose of any lands or buildings or any right or interest therein not needed for public use. Any lands owned by a municipi-

pality and which cease to be suitable or convenient for the use for which they were acquired, may be devoted to any other municipal use, but no land may be transferred from the control of any municipal board or body without the consent thereof; *provided, however*, that nothing hereunder shall permit the sale of any park lands or streets.

Proviso.

10. Every municipality may lease for fixed and limited terms to any person or persons any land or building of the municipality not presently needed for public use.

Lease land or building.

11. No land or any right or interest therein shall be sold by any municipality except at public sale and to the highest bidder, after public advertisement given in a newspaper circulating in the municipality, at least once a week for two weeks prior to such sale.

Sale of lands and interests to highest bidder.

12. Any municipality may acquire by purchase, gift, bequest or devise any real or personal property which is subject to conditions or limitations as to the use of such property by the municipality, or restrictions imposed by the person or persons, corporation or corporations, from which the said municipality shall acquire the same, or any previous owner, providing the governing body of such municipality shall by ordinance or resolution express its willingness that the same be so acquired.

May acquire property subject to limitations.

13. In case any municipality, by its governing body, shall have heretofore or shall hereafter acquire by purchase, gift, devise or otherwise, any property, real or personal, upon condition or limitation that the same shall be used for two or more purposes, and the purposes when carried out would subject said property to the control and management of two separate boards or departments of such municipality, then it shall and may be lawful for the governing body of such municipality to designate by ordinance which of said boards or departments shall have control and management of such property; or such governing body may, by ordinance, create a new board or department which shall have the control and management thereof; *provided, however*, that in all cases the conditions or limitations shall be in all respects complied with.

When subject to different departments, control to be fixed.

Proviso.

## ARTICLE XIX.

## INSURANCE.

Insure property or create insurance fund.

1. It shall be lawful for every municipality in this State to insure the property of such municipality against loss or damage by fire or otherwise, in any insurance company or companies authorized to do business in this State, or to create an insurance fund for the purpose of meeting any such loss to said property.

Fund, how created.

2. For the purpose of creating such fund, the body having charge of the finances of any such municipality may appropriate thereto any amount of money under their control, not raised or appropriated for any other purposes, and may add to such fund yearly in the same manner or by raising such an amount in the tax levy as they may yearly decide and fix upon.

Amount of fund.

3. The body having charge of the finances of any such municipality shall have full power and authority to designate by resolution the maximum or minimum amount of any such fund, and from time to time to provide for the disposition or use of any excess over and above the maximum amount so fixed, or of the interest or profits arising from such fund when the said fund shall have reached the amount fixed as the maximum limit.

Insurance fund commissioners.

4. In any municipality which has established or may hereafter establish such an insurance fund, the mayor or chief executive officer shall, by and with the consent of the governing body of such municipality, appoint three of the officials of the municipality, to be known as the "Insurance Fund Commissioners," who shall hold office without compensation during the terms for which they have been severally appointed and until their successors in their respective offices shall have duly qualified.

Commissioners in office to continue.

This act shall not vacate the office of any insurance commissioners heretofore appointed, but all such commissioners shall hold office hereunder until the expiration of the term for which they were originally appointed.



5. It shall be lawful for the mayor or other chief executive officer of any such municipality, by and with the consent of the governing body of any such municipality, to intrust the management and investment of any such fund to the sinking fund commissioners of such municipality in lieu of commissioners specially appointed as aforesaid, who, when so designated as the custodians of such fund, shall have the same powers and authority as if specially appointed for such purpose.

Fund may be intrusted to sinking fund commissioners.

6. Subject to the control of the board having charge of the finances in such municipality, such commissioners shall invest any such fund and all additions and accretions thereto. They shall at all times keep such fund invested in such securities as may be readily sold for cash for the purpose of paying any loss which may occur to any of the buildings or property so insured.

Investments.

7. Such commissioners shall have power to insure any of the property of the municipality with any insurance company or companies authorized to do business in this State, and no board, body, commission, department or committee in any municipality where insurance fund commissioners have been or may be appointed, shall place or carry any insurance upon any property under their control, but all such insurance shall be effected by or through the said insurance fund commissioners.

Placing insurance.

8. The said commissioners shall have power to fix reasonable rates of premium for all insurance carried by the municipal insurance fund, and each board, body, commission, department or committee having charge or control of any insurable property, shall forthwith pay to the said commissioners such premiums for any insurance carried by such municipal insurance fund. Whenever, in the discretion of the commissioners, they may deem it advisable to place insurance on municipal property with insurance companies authorized to do business in this State, the premiums for such insurance shall be forthwith paid to the said commissioners by the board, body, commission, department or committee having charge or control of such property.

Insurance rates.

Payment of premiums.

## ARTICLE XX.

## IMPROVEMENTS.

- Local improvement defined.** I. A local improvement is one, the cost of which, or a portion thereof, may be assessed upon lands in the vicinity thereof benefited thereby.
- Undertakings:** Every municipality may undertake any of the following works as a local improvement:
- Lay out streets, etc.;** (a) The laying out, opening or establishing of a new street, road, avenue, alley, or other public highway, or portion thereof.
- Alter streets;** (b) The widening, straightening, extending, altering or changing in any manner the location of a street, road, avenue, alley, or other public highway, or portion thereof.
- Grade;** (c) The grading or altering the grade of a street, road, avenue, alley, or other public highway, or portion thereof.
- Pave;** (d) The paving, repaving, or otherwise improving or reimproving a street, road, avenue, alley, or other public highway, or portion thereof.
- Curb;** (e) The curbing or recurbing, guttering or reguttering of a sidewalk in, upon or along a street, road, avenue, alley, or other public highway, or portion thereof.
- Walks or drives along water;** (f) The constructing, reconstructing, improving, re-improving, or relocating a public walk or driveway on any beach, or along the ocean or any river or other waterway.
- Beach improvements;** (g) The improving or reimproving any beach, or water front; the providing of suitable protection to prevent damage to lands or property by the ocean or other waters, including the filling in and grading necessary for the protection of such improvements.
- Sewers and drains;** (h) The constructing, reconstructing, enlarging or extending a sewer or drain in, under or along a street, road, avenue, alley or public highway, or portion thereof, or in, under or along any public or private lands; the constructing, reconstructing, enlarging or extending of a system of sewerage or drainage or both combined; the constructing, reconstructing, enlarging or extend-

ing a system of drainage of the marshes and wet lowlands within the municipality; the constructing, reconstructing, enlarging or altering a system or works for the sanitary disposal of sewage or drainage.

Sewage disposal;

(i) The installation of service connections to a system of water, gas, light, heat or power works owned by the municipality or otherwise, including all such works as may be necessary for supplying water, gas, light, heat or power to lands for whose benefit such services are provided.

Water, gas, light, heat plants;

(j) The widening, deepening, or improving any stream, creek, river, or other waterway.

Improve water ways.

Wherever convenient, more than one of said works may be carried on as one improvement.

Improvements combined.

Every municipality shall also have power to undertake any or all the above-mentioned works as a general improvement to be paid for by general taxation. It shall also have power to provide by general taxation for the maintenance, repair and operation of any or all of said works, whether undertaken as local or general improvements.

Taxation to meet undertakings.

The governing body of every municipality shall have power to make, publish, enforce, amend, or repeal ordinances for carrying into effect all the powers granted to municipalities by this section.

Ordinances.

2. Whenever any ordinance shall be passed by the governing body of any municipality for making any improvement or performing any work, all further acts and proceedings which it may be necessary for said governing body to take to carry out said improvement or work to completion, and all orders relating thereto, may be by resolution.

Further proceedings by resolution.

3. Any municipality may purchase, condemn, or otherwise acquire, any land or real estate, or any right or interest therein, useful or necessary for the making of any such improvement, whether such land or real estate be located within or without the municipality, and may acquire any personal property and hire, engage and employ all engineers, surveyor, officers and employees, and construct or cause to be constructed any work or thing deemed necessary for the making of any such im-

Acquire land.

Engage engineers, etc.

Contracts.

provement, and may enter into any contract or agreement for the acquiring of any such property or the constructing of any such work, and may do any and all other acts or things necessary to carry on, complete, maintain and operate any such improvement.

As to house  
connections  
before paving.

4. Whenever any municipality shall have determined to pave, repave, or otherwise improve any street, road, avenue, alley, or other public highway, or any portion thereof, it shall be lawful for the governing body of such municipality to order and direct that in all streets, roads, avenues, alleys, or other public highways, or any portion thereof, where sewer, gas or water mains or conduits for wires, are located, that in order to make private connection therewith, it will thereafter be necessary to excavate and tear up the proposed improved portion of said street, road, avenue, alley, or other public highway, or any portion thereof, the owner of any and all lands on the line of said proposed improvement to make necessary connections with the sewer, gas, or water mains, or conduits for wires, in said street, road, avenue, alley or other public highway, or any portion thereof, for all lands not already connected with said sewer, gas, water mains, or conduits for wires, before the work upon such improvement shall be begun, and to prescribe the time, which shall not be less than thirty days after the passage of said ordinance, within which the said connections shall be made, and it shall thereupon be the duty of all owners of any land or lands on the line of said improvement, within the period prescribed in said ordinance, to make said connections.

Width of lots.

It shall also be lawful for said ordinance to provide the width of the lot or lots for which connections shall be made, according to the character of the locality, and, when so fixed, all connections shall be made in conformity with said ordinance.

Notice to those  
affected.

Notice shall be mailed to every known property owner affected of the pendency of the ordinances, addressed to his or her last known post-office address, five days before its final passage, and a hearing accorded to every person interested therein.

In case the owner or owners of any lands for which said connections shall be ordered to be made shall not comply with the order or direction contained in said ordinance within the time therein specified, the board or body in charge of said work shall make or cause said connections to be made, and pay the expenses and costs thereof, which expenses and costs shall be assessed upon any lands benefited.

If owner fails to comply, connections made by authorities.

5. A municipality may take over by purchase or condemnation any property or works mentioned in this article which at the time of such purchase or condemnation is privately owned or operated, and assessments for benefits accruing therefrom may be made and levied upon the lands benefited thereby.

Municipality may acquire property.

6. It shall be lawful for any two or more municipalities to unite in undertaking any one or more of the works mentioned in this article as a local or general improvement. Whenever such work is contemplated, a proposed agreement shall be prepared setting forth the work or works to be undertaken, the plans and specifications therefor, and the proportion of the cost thereof to be borne by each municipality, and any other provisions deemed necessary to be inserted therein.

Joint improvements.

If any such work is to be undertaken as a local improvement, notice of the intention of any governing body to consider any ordinance authorizing the execution of such contract and the doing of the work contemplated therein, and a hearing thereon shall be given in each municipality in the same manner as is provided by this act in cases where the improvement is undertaken by a single municipality.

Notice of intention.

If such contract is authorized by and executed on behalf of the several municipalities thereto, the work shall proceed as provided for therein. Upon the completion of any work undertaken as a local improvement, the governing body of each municipality shall certify to the officer or board charged with the duty of making assessments in such municipality, the cost thereof to be borne by such municipality, and such board shall make an assessment on all lands and real estate in such munici-

Proportionate cost and assessment.

Assessments  
a lien.

pality benefited by such improvement. Such officer or board shall give the same notice and accord the same hearing and proceed in the same manner, and such assessment shall be a lien and shall be enforced in the same manner as in making assessments where the improvement is made by a single municipality.

Amount to be  
devoted to  
local improve-  
ments.

7. The governing body in a municipality may from time to time fix and designate the amounts of money to be expended by the municipality for local improvements. Any amount so appropriated may be raised by the issue of temporary improvement notes or permanent bonds.

Capital fund.

A municipality may also create a capital fund for the carrying on of local improvements, and such capital fund may be raised in any annual tax budget or by the sale of bonds. In making the appropriation, the governing body may designate the particular local improvement to which said money so appropriated is to be applied; and in such designation may include one or more of the works set out in this article if the same are so connected as to be part of one general scheme.

Improvement  
designated.

General ap-  
propriations.

8. The governing body may make general appropriations for a particular class of work or for any combination of classes of work set out in this article, and the money so appropriated may be expended for such work or classes of work by the board designated by law to carry on such work at such time and place as in their judgment shall seem proper. The resolution or ordinance making any appropriation as above shall state that the said appropriation is to apply to local improvements, and that an assessment is thereafter to be levied on property in the vicinity thereof benefited or increased in value by reason thereof.

Notice given  
to those af-  
fected.

9. Before the introduction of any ordinance authorizing any local improvement, public notice shall be given to all persons whose lands may be affected thereby or who may be interested therein, of the intention of the governing body to undertake such improvement. Such notice shall state the time when and the place where such governing body shall consider the said ordinance, and shall briefly describe the proposed improvement. Such

notice shall be published at least once in a newspaper circulating in the municipality, at least ten days prior to the date of the introduction of such ordinance. At the time and place so specified in such notice, or at any time or place to which the meeting shall be adjourned, all persons whose lands may be affected by such improvement, or who may be interested therein, shall be given an opportunity to be heard concerning such improvement.

Hearing afforded.

After according persons in interest an opportunity to be heard, said board or body may proceed to consider and to pass or reject such ordinance. If the same is rejected, it shall not be reconsidered until notice of the intention to reconsider the same is given, in the same manner as the original notice of hearing.

Consideration by board.

10. No local improvement shall be undertaken by a municipality where objections thereto in writing are filed by the owners of two-thirds in value of the lands proposed to be assessed for benefits accruing from such improvement. Such objections shall be filed with the clerk of the governing body before the final passage of the ordinance providing for such improvement. The question as to whether the necessary two-thirds have joined in such objections shall be determined by the governing body, which shall use for that purpose the last preceding valuation for the purpose of taxation.

No improvement if two-thirds in value object.

11. An ordinance may provide for the making of several improvements not connected with each other, and the notice of several local improvements not connected with each other may be included in one advertisement.

Several improvements included in one advertisement.

12. A copy of the notice of intention as published shall be mailed to every person whose lands may be affected by such local improvement, so far as may be ascertained, directed to his last known post-office address.

Notice of intention mailed to parties affected.

The owner of any lands in a municipality may file with an official thereof, to be designated by the governing body by ordinance, a list of lands owned by him, with his post-office address, and all notices shall be directed

Owner of land may file list and address.

to him thereat. Failure to mail the notice hereinabove provided for shall not invalidate any proceeding or assessment hereunder.

Copy of notice,  
etc., filed with  
clerk.

13. The official directed to mail any such notice shall immediately after doing so take and file with the clerk of the municipality an affidavit showing the persons to whom such notices were mailed, with the addresses used, a copy of the notice, and in what newspaper and when the same was published. A copy of every such affidavit shall be furnished to the governing body at the hearing.

On completion  
of improve-  
ments, assess-  
ments for  
benefits.

14. Upon the completion of any local improvement, the board or body in charge thereof shall immediately notify the officer or board in the municipality that is charged with the duty of making the assessment for benefits, and request that a proper assessment be made on any lands or real estate that may have been benefited or increased in value by such improvement. The board in charge of such improvement shall furnish to the assessing officer or board a statement showing in detail the cost of such improvement, which shall include the cost of any land, real estate or right of way purchased or condemned in connection with the improvement, and also the cost of advertising, financing and inspecting the same and engineering expenses.

Statement  
furnished  
assessors.

Part of cost  
may be borne  
by municipi-  
pality.

15. The governing body of a municipality may provide in any ordinance authorizing a local improvement that a certain proportion of the cost thereof be paid, or a fixed sum be contributed to the cost of the improvement by the municipality.

Amount con-  
tributed certi-  
fied.

Where any such provision is made, or where the board of chosen freeholders of the county contribute to the cost of the improvement by contract with the municipality, or where any contribution is made toward the cost of such improvement by any person or corporation, the body in charge of the making of such improvement shall certify to the assessing officer or board the cost of the improvement and the amount of any such contribution by the municipality, county, or corporation, or individual, the total amount of the as-



assessment levied on property benefited by the improvement shall not exceed the cost, less such contribution. Balance.

If the benefits so assessed shall not equal the cost, less such contribution, the balance shall be paid by the municipality.

16. All assessments for benefits for local improvements under this act shall be made by the officer or board charged with the duty of making general assessments of taxes in the municipality, except where there is now provided by law a board for the making of all such assessments, in which case all assessments shall be made by such board as provided. Who make assessments.

17. The governing body of every municipality in which no board is provided by law for the making of all assessments for benefits accruing from local improvements, may, by ordinance, create a general board for that purpose, which board shall thereafter make all such assessments. Board of assessment may be created.

18. In any municipality where no such board is provided for by law or by such ordinance, the governing body may by resolution, upon the completion of any local improvement, appoint three discreet freeholders who shall be residents of the municipality and in no way interested in such improvement, in which instance the freeholders so appointed shall make the assessment for such particular improvement. Residents appointed to make assessments.

19. The officer or members of the board charged with the duty of making assessments for benefits under this act shall, before the commencement of their duties, be sworn by an officer duly authorized to administer oaths for the faithful performance of such duties. In case of the death or disqualification of such officer, or any member or members of such board, the governing body shall appoint some other suitable person or persons to act in the stead of such deceased or disqualified person or persons. Such officer and members of said board shall receive such compensation for their services as the governing body may fix and determine. Oath.

20. The officer or board charged with the duty of making assessments for benefits, when notified of the completion of a local improvement, shall examine the Vacancy.

Compensation.

View improvements.

said work and view all lands and real estate in the vicinity of said local improvement benefited by such improvement. Said officer or board shall thereupon fix a time and place for the hearing of all persons interested. Notice of the time and place of such hearing shall be given by at least one publication in a newspaper circulating in the municipality at least ten days before such hearing. Notice of such hearing shall be mailed to the owners of all lands affected, directed to the last known post-office addresses of such owners. Such notices shall be mailed and published by such clerk or official as the governing body may designate.

Notice of hearing.

Failure to mail any notice shall not invalidate any proceeding or assessment hereunder.

Hearing.

21. The officer or board charged with the duty of making any assessment shall attend at the time and place appointed. A majority of such board shall constitute a quorum for the transaction of business, and shall be sufficient to make any assessment, but one member shall have power to adjourn any meeting. The said officer or board may adjourn from time to time; they shall give all parties interested or affected by the improvement ample opportunity to be heard upon the subject of the assessment; the officer or board shall have power to examine witnesses under oath or affirmation, administered by such officer or any member of such boards; he or they shall thereupon make a just and equitable assessment of the benefits conferred upon any lands or real estate by reason of such improvement, as the case may be, having due regard to the rights and interests of all persons concerned as well as to the value of the lands and real estate benefited.

Just assessment for benefits made.

Damages fixed.

22. In addition to the making of assessments for benefits, the said officer or board shall also fix and determine the amount of damages accruing to any property by reason of the making of any improvement. The amount of such damages accruing to any parcel of land or real estate shall be deducted from the amount of any benefits assessed thereon. In case the amount of damages so awarded shall exceed the benefits assessed upon any parcel of land or real estate, or in case no

If damages exceed benefits.

benefit shall accrue thereto, the balance or the amount of such damages may be raised as provided by law, and shall be paid by the municipality to the owner of any such parcel of land or real estate. In case there is any uncertainty as to the person who is entitled to receive any award of damages, the amount thereof may be paid into the Court of Chancery, and shall there be distributed according to law to the person or persons entitled thereto.

Any person or persons feeling aggrieved by any award for any lands and real estate damaged by any such improvement, may appeal to the Circuit Court of the county wherein such municipality is situate, at any time within sixty days after the confirmation of the said award, and said court shall thereupon order a trial by jury to assess such damages anew. Such trial shall be conducted as in other cases of trial by jury, upon an issue to be framed under the direction of or by the court; *provided*, that the completion of said improvement shall not be delayed thereby, and that the municipality may proceed therein as though said appeal had not been taken.

Parties aggrieved may appeal to court.

Trial.

Proviso.

23. When any improvement ordinance shall require the taking of lands or real estate, or any rights or interests therein, the ordinance for that purpose, when introduced, shall state the location and character of the improvement proposed to be made, the lands and real estate to be taken therefor sufficiently described so as to be readily identified, and such ordinance shall be accompanied by a map prepared under the direction of the governing body, showing in detail the location and dimensions of such land proposed to be taken; upon the passage of such ordinance, said map, together with a copy of the ordinance duly attested by the clerk of the governing body shall, without delay, be filed with the officer or board charged with the assessment for benefits in the municipality. Such officer or board shall make an award for said lands and real estate to the owner or owners thereof, after hearings are held, upon notice, in the same manner as is herein provided for the making of assessments, except that said award shall be made

Ordinance to state location of land to be taken.

Map.

Award.

Payment of  
award.

before the commencement of the work of the improvement. Where an award is made under this section, the amount thereof shall be tendered to the person or persons entitled thereto before the commencement of such work. In case of uncertainty as to who is entitled thereto, or where the municipality is unable to tender said award by reason of the incapacity or absence of any such person entitled thereto, or where any person or persons refuse to receive such award, the same may be paid into the Court of Chancery and shall be distributed to the person or persons entitled thereto according to law.

Title vested  
in municipi-  
pality.

Upon the acceptance of any such award or the payment of the same into the Court of Chancery, title to such land and real estate shall vest in the municipality, and such ordinance shall be forthwith recorded in the records of deeds of the county wherein such municipality is situate, and said map shall be filed in the office where the records of deeds are kept.

Party ag-  
grieved may  
appeal to court.

Any person or persons feeling aggrieved by any award for any lands and real estate taken for any such improvement, may appeal to the Circuit Court of the county wherein such municipality is situate at any time within sixty days after the making of the said award, and said court shall thereupon order a trial by jury to assess such damages anew. Such trial shall be conducted as in other cases of trial by jury, upon an issue to be framed under the direction of or by the court; *provided*, that the completion of said improvement shall not be delayed thereby, and that the municipality may proceed therein as though said appeal had not been taken.

Trial.

Proviso.

Assessments  
in proportion  
to benefits.

24. All assessments levied under this act for any local improvement shall in each case be as near as may be in proportion to the peculiar benefit, advantage or increase in value which the respective lots and parcels of land and real estate shall be deemed to receive by reason of any such improvement, and in no case shall any assessment on any parcel of land exceed in amount such peculiar benefit, advantage or increase in value.

25. Whenever a main sewer or drain, a sewage disposal plant, an outlet or connecting sewer through another municipality, or any improvement or addition to a sewerage system has been or hereafter shall be constructed in a municipality, and the benefits thereof shall be extended to land or real estate in the municipality by the building of any lateral sewer or sewers, there may be assessed upon such land or real estate, such portion or expense of such main sewer or drain, sewage disposal plant, outlet or connecting sewer, or improvement or addition to a sewerage system, as will equal the amount of benefits actually acquired by such land or real estate, which assessment may be made in connection with the assessment for such lateral sewer or as an independent assessment. Such assessment shall be made and collected under the provisions of this act.

Assessments  
for sewers,  
drains, sewerage  
plants.

26. In constructing sewers, the governing body may lay or cause to be laid the necessary house connections from such sewer to the curb line of any street in which the same is laid. In such case such work shall be specified in the ordinance providing for the construction of the sewer, and a map showing such connections shall be prepared and exhibited at any hearing held by such governing body. The cost of such connections shall be assessed against the lot or plot benefited.

House connections.

27. Upon the making of such assessments, the officer or board charged with the duty of making the same, shall certify his or their assessments to the governing body by a report in writing signed by said officer, or if made by said board, then by at least a majority of their number; said report shall be accompanied by a map showing the lands and real estate taken, damaged or benefited by said improvement, and for which damages or benefits have been assessed; such report may be considered by the governing body at any meeting of which at least two weeks' previous notice shall have been given by the clerk or officer designated as aforesaid by said governing body, posted in five public places in such municipality, or published in a newspaper circulating therein once each week for two weeks prior to such meeting,

Report by officers making  
assessments.

Notice of  
consideration  
of report.

What notice to state.

Confirmed report final.

as the governing body may direct, and also by mailing a copy of said notice to such owner or owners named in said report, directed to their last known post-office addresses; the affidavit of said clerk or other designated official shall be conclusive as to such mailing; the notice shall briefly state the object of the meeting with reference to said assessment; at that or any subsequent meeting, the governing body, after considering the said report and map, may adopt and confirm the same with or without alterations as by them may seem proper; it shall be lawful for said governing body to refer the matter to any committee of their own body, or to the officer or board making such assessments for revision or correction before taking final action upon it; when the report shall be adopted and confirmed, with or without alterations, the same shall be final and conclusive, from which appeals may be taken as hereinafter provided.

Failure to mail the notice in this section required shall not invalidate the above proceedings.

Interest on unpaid assessments.

28. Where any assessment shall not be paid within two months after the date of confirmation thereof, interest thereon from the date of confirmation shall be imposed at the same rate as may be imposed upon unpaid taxes in said municipality.

Duplicate delivered to collector.

29. Immediately after the confirmation of any such assessment, a duplicate of the same, duly certified by the clerk of the body confirming the same, shall be delivered to the tax collecting officer of the municipality. Such assessment shall be payable immediately upon delivery to such collecting officer, who shall immediately after delivery to him, send out by mail or deliver to the owners of such lands, bills for such assessment; the collector shall enter the date and amount of each payment on his duplicate in the proper column opposite the item of the assessment on account of which payment is made, and shall also enter the same in a proper cash book credited to the taxpayer, and shall also enter therein a designation of the property on which the tax was paid, the total amount of the assessment and the interest and penalty charged; the cash book shall be provided by the

Duty of collector.

Cash book.

collector at the expense of the taxing district, and shall be the property of the taxing district, and be open at all reasonable times to public inspection. The body controlling the finances may make additional regulations for recording, accounting for, and collection of assessments.

30. Every assessment for local improvements of any kind, together with interest thereon and all costs and charges connected therewith, shall upon confirmation of the same by the governing body, be a first and paramount lien upon the lot of land described in such assessment, and paramount to all prior or subsequent alienations and descents of such lands or encumbrances thereon, except subsequent taxes or assessments, notwithstanding any mistake in the name or names of any owner or owners, or any omission to name any owner or owners who are unknown, and notwithstanding any lack of form therein or in any other proceeding which does not impair the substantial rights of the owner or owners or other person or persons having a lien upon or interest in any such lot of land; all assessments for local improvements shall be presumed to have been regularly assessed and confirmed, and every assessment or proceeding preliminary thereto shall be presumed to have been regularly made or conducted until the contrary be shown.

All assessments a lien.

Informalities not to invalidate proceedings.

31. Within two months after the confirmation thereof, the collecting officer of such municipality, excepting cities having charter provisions for a public record of tax liens on land, shall file with the clerk of his county a list of all unpaid assessments, setting forth a description of the property, the amount of the assessment, arranged alphabetically in the names of the owners, except where the assessment is made on the block system, in which case the arrangement may be made by blocks in the order of their numbers, to which he shall affix his oath that the same is a true and complete list of all the unpaid assessments on real property, as shown by his tax duplicate, for which service he shall be paid by his taxing district two cents for each name returned;

Unpaid assessments.

List filed with county clerk.

Record in  
office of  
county clerk.

Existence of  
lien.

Recording tax  
liens in certain  
cities.

Sale of land  
for unpaid  
assessments.

Notice.

the collector may file, afterwards, a supplemental list of any assessments omitted by mistake; the collector may amplify the description of any parcel, if necessary, so as to identify the same in said list; the county clerk shall record the list and affidavit in a separate book for each taxing district, or in the book showing arrearages of taxes therein, and properly index the same, and shall receive for his services from the taxing district five cents for each name in the list, and may charge five cents per year per name for searches made on request for unpaid assessments; said books shall be at all times open for public inspection free of charge; the said list, when filed and the record thereof, shall be constructive notice of the existence of the assessment lien for two years from the filing of said list of unpaid assessments, but not thereafter against any parcel, unless within said term of two years the sale of said parcel shall be noted in the record as hereinafter provided; the lien shall include seven cents for each name for the cost of listing and recording, and shall be marked satisfied by the county clerk on the assessment record on payment to the collector of the total amount due, together with a fee of twenty cents for a certificate to the county clerk that the assessment has been satisfied, and on the filing with the county clerk of the collector's certificate, and on payment to the clerk of twenty cents for his services.

In cities having charter provisions for a public record of tax liens on lands, the assessment immediately after confirmation shall be recorded in the office for the record of such tax liens in proper books provided for said purpose, and shall be and remain a first lien on all lands affected, in the same manner as and to the same extent as taxes.

32. When any assessment shall remain in arrears on the first day of July, at least six months after the filing of said list of unpaid assessments, the collector or other officer charged by law in the taxing district with that duty, shall enforce the assessment lien by selling the land, or any part thereof, sufficient for the purpose; he shall give public notice of the time and place of such



sale, stating the names of delinquents and the land to be sold, amplifying the description in the duplicate if necessary to better identify the parcel, and the amount of the delinquent assessment thereon, by advertisement signed by him in a newspaper circulating in the taxing district or county where said land lies, once in each week for at least four weeks successively next preceding the day appointed for the sale; and in all taxing districts, except cities, shall cause copies of such notice to be set up in five of the most public places of the taxing districts for the same period, one of which must be on or near the premises to be sold, and where the post-office address is known to him, shall mail a copy of such notice to the owner at such address, postage prepaid; at the time and place fixed for the sale, and from time to time thereafter, the collector may adjourn the sale in his discretion, or at the request of persons interested, or for want of bidders, but for not more than eight weeks in the whole, and a short notice of each adjournment shall be published in said newspaper; he shall receive payment at any time before sale of any assessment with the costs incurred up to the time of payment; the said sale and all proceedings therefor may be had in conjunction with the sale of land for unpaid taxes.

Adjournment  
of sale.

Settlement  
before sale.

When any parcel of land is being sold for unpaid taxes, the said collector shall add thereto any amount due for unpaid assessments levied under this act, and in all proceedings for and notices of said sale notice shall be given that the said property is to be sold for taxes and assessments, and in all respects the said sale shall be conducted as if the said assessment were part of said unpaid taxes.

Unpaid assess-  
ments added  
to unpaid  
taxes.

33. At the time and place specified in the notice of sale or adjournment, the collector shall sell at public auction each parcel of real property on which the assessment is in arrears, or any part thereof sufficient for the purpose, to such person as will purchase the same for the shortest term and pay the amount due the municipality, including interest and costs of sale, or in fee where no one will bid for a shorter term; such payment to be

Sale.

Terms of  
purchase.

Certificate of  
sale convey-  
ing land.

made before the conclusion of the sale, or the property shall be resold. Within ten days after the sale the collector shall deliver to the purchaser a certificate of sale under his hand and seal and duly acknowledged by him as a conveyance of land, which shall set forth that the property therein to be described has been sold by the collector to the purchaser, the name of the delinquent owner as it appears on the books of the assessing district, term for which sold, the amount of the assessment, with the items of interest and costs in detail, the improvement for which assessed, and the time when the right to redeem will expire. The collector shall strike off and sell to the assessing district any parcel of real property for which there shall be no purchaser, and the assessing district shall have the same remedies and rights as other purchasers, and may sell the land purchased, or any part thereof, for not less than the price paid therefor, together with subsequent taxes, assessments and interest, or may let the land and collect the rental.

If no sale of  
property, as-  
sessing district  
acquires right.

Subsequent  
assessments.

34. Where a parcel of land has been purchased and is held by the taxing or assessing district under a tax or assessment sale not redeemed, all subsequent assessments shall be assessed in the name of the owner, as if no sale had been made, and shall be and remain a paramount lien on the land and be added to the purchase money, and shall be paid before the land can be redeemed from the sale, and no further sale for assessments of said parcel while held by the taxing or assessing district shall be made by the collector unless directed by resolution of the governing body, in which case the clerk shall certify to the collector the amount required to be paid to redeem the land from the previous sale or sales and the collector shall advertise and sell the land for the said amount added to such assessment and costs; the taxing or assessing district may sell any land purchased by it for assessments, and direct the transfer of the certificate of sale subject to the right, if any, to redeem, to any person paying not less than the amount for which sold and interest and subsequent taxes and assessments.

A lien.

Sale of land  
by taxing dis-  
trict.

35. On the first Tuesday of February following the sale, the collector shall present to the governing body of the taxing district and file with the clerk or other custodian of the record of delinquent assessments an account in detail of all assessments collected by him without sale since the filing of his last previous list of delinquents, and at the same time the officer making the sale shall file with the clerk of the taxing district his report of sales under oath containing a schedule of all of the unpaid assessments on real property shown on his duplicate from the collection of which he has not been released, and his proceedings in making sales therefor, and stating all the particulars above required to be set forth in the certificates of sale to purchasers, to which he shall annex copies of the notices required to be published, posted and mailed, with proofs of such publication, posting and mailing; said report shall also set forth a list of the unpaid assessments on land which has not been sold because held by the taxing district under a previous unredeemed sale, or because sale has been prevented by order of court, or otherwise; the clerk shall record said report of sales in a book provided for the purpose known as the record of assessment sales, which records shall be in all courts presumptive evidence of the proceedings therein recorded.

Collector's  
account of  
assessments.

Report of  
sales.

What report  
to show.

Report re-  
corded.

36. The collector or other officer shall receive for his services the same fees as allowed for the sale of lands for unpaid taxes.

Collector's  
fees.

37. The purchaser may present his certificate of sale for assessments to the clerk of the county at any time before the expiration of one year following the sale, and it shall be the duty of the county clerk to enter the name of the purchaser and the date of presentation in the record of unpaid assessments for said taxing or assessing district in the appropriate column opposite the entry of the delinquent assessment for which said sale was made, and properly index alphabetically the name of purchasers, which entry shall constitute constructive notice of the sale as recorded in the record of assessment sales of the clerk of the taxing district; the county clerk may charge five cents per year per name for searches

Action by  
purchaser.

Entry by  
county clerk.

Purchaser may  
record cer-  
tificate of sale.

Unless entered  
or recorded,  
certificate void  
against pur-  
chaser, etc.

Affidavits and  
proof annexed.

Certificate  
of sale as  
evidence.

Redemption  
of land sold  
for assess-  
ment.

Amount with  
interest and  
fees.

made on request for sales for unpaid assessment in said records; the purchaser, at his option, may record the certificate of sale for assessments in the office of the clerk or register of the county where the land lies as a mortgage of land, and thereupon shall be entitled to the immediate possession of the property sold and described in the certificate and to all rents and profits thereof from and after the date of the certificate, for the term of the sale, or until redemption; unless the certificate is either so entered in the record of unpaid assessments or so recorded as a mortgage, before the expiration of the term for which the record of unpaid assessments is constructive notice of the lien, it shall be void as against any bona fide purchaser, lessee or mortgagee whose deed, lease or mortgage is recorded before the recording of the certificate; affidavits and proofs of notice to cut off the right of redemption, served as hereinafter provided, may be annexed to said certificate and shall form part thereof, and be recorded therewith, after the time to redeem has expired, as a conveyance of land in the record of deeds; the certificate of sale shall be presumptive evidence in all courts and in all proceedings by and against the purchaser, his representatives, heirs or assigns, of the title of the purchaser to the land therein described and of the regularity and validity of all proceedings had in reference to said sale.

38. The owner, mortgagee, occupant or other person having an interest in or on the land sold for assessments, may redeem the same at any time within two years from the date of sale or at any time thereafter until the right to redeem has been cut off in the manner hereinafter set forth, by paying to the collector or other officer of delinquent assessments on lands of the municipality where the land is situate, for the use of the purchaser, his heirs or assigns, the amount of the purchase money shown on the certificate, with interest at the rate of eight per centum per annum thereon from the date of sale, together with such other expenses as may be incurred by the purchaser, his heirs or assigns, under this act, for recording fees, fees for the service

of notices necessarily served, and the fees and expenses in ascertaining the owner or owners, mortgagee or mortgagees, occupant or other person or persons having an interest or lien in or on such premises so sold for assessments; *provided*, that all such fees and expenses incurred by the purchaser, his heirs or assigns, in ascertaining the owner or owners, mortgagee or mortgagees, occupant or other person or persons having an interest or lien in or on such premises sold for assessment, including all disbursements whatsoever, shall not exceed the sum of ten dollars, besides fees actually paid for recording the certificates; *and provided, further*, no fees or expenses incurred as aforesaid shall be collectible unless the purchaser, or his heirs or assigns, shall have made and filed with such collector or other collecting officer an affidavit showing the amount or amounts of such expenses actually disbursed or incurred; and the collector or other collecting officer, as in this section mentioned, on receiving such payments in full shall restore to the owner said land, and the sale shall be void, or where the redemption is made by a mortgagee or other person not primarily liable to pay the assessment, and having a lien or interest in or on the land, the person so paying shall succeed to the assessment lien paid by him, and the purchaser shall, on receipt of the redemption moneys in full from the collector or other collecting officer in this section mentioned, at the option of the party making the payments, either assign the certificate of sale, by assignment under seal and acknowledged as a conveyance of land, to the person redeeming, or execute a satisfaction of the certificate of sale, or cancel the same by endorsement in the manner required by law to satisfy or cancel a mortgage, whereupon the record of the lien shall be cancelled by the county clerk or register in like manner and for the same fees as in the case of mortgages; *provided, further*, the owner or other person having an interest or lien in or on the land sold for assessment, may redeem the same at any time within ten days from the date of the sale, by paying to the collector or other collecting officer of the municipality where the land is

Proviso.

Proviso.

Collector to restore land.

Assign certificate or execute a satisfaction of sale, or cancel by endorsement.

Proviso.

situate, for the use of the purchaser, his heirs or assigns, the sum paid by him at such sale, upon receipt of which payments the sale shall be void and shall be cancelled of record by said collecting officer.

Certificate of redemption.

39. When payment shall be made in accordance with the provision of the preceding section of this act, the collector or other collecting officer, as described in said section, so receiving such payments, shall deliver to the person making the same, a certificate of redemption, duly acknowledged, which said certificate may be filed with the county clerk or register of the county, who shall thereupon cancel the record of such certificate and the lien thereof, in like manner and for the same fees as are provided for the cancellation of mortgages, whereupon the land described in said certificate shall be discharged from the lien thereof and the sale; or at the option of the party redeeming, the purchaser shall execute an assignment of the certificate upon the receipt of all moneys he may be legally entitled to. The collector or other officer, as described in the preceding section of this act, shall pay all the redemption moneys to the person entitled thereto, on his surrender of the certificate of sale, and shall at once, on receipt of the money, mail notice thereof to such purchaser, if his address can be ascertained.

Payment of redemption moneys.

Right of redemption.

40. The purchaser of land at any assessment sale may, at any time within twenty years after the purchase, give written notice to all persons interested in the land of their right to redeem, and that unless they do so within the term of two years from the date of sale, if the notice is served more than sixty days before the end of the term, or within sixty days after the service of said notice, if served later, their right of redemption will be barred; this notice shall be served personally on persons interested who reside in the taxing district, and on those resident out of the district may be served personally or by mailing to their post-office address, if it can be ascertained, and by posting on the premises sold, if it cannot be ascertained; if there shall be no redemption within the said term of two years after the sale, or thereafter within the time lim-

Notice.

When redemption barred.

ited by said notice, or in case no notice is given, if there shall be no redemption within twenty years after the purchaser has entered into open possession and since continued under the sale, then the right to redemption shall be barred; the purchaser may, after the time to redeem has expired without redemption, annex the notice and affidavit of service to the certificate of sale, together with an affidavit that the sale has not been redeemed, and record and file the same therewith in the office of the county clerk or register, where the same shall be recorded as a deed or conveyance, and the said notice and affidavits and the record thereof shall be presumptive evidence of the service and facts therein stated; after the time to redeem has expired without redemption, cutting timber by the purchaser shall not constitute waste.

After time to redeem, timber may be cut.

The purchaser or his assigns may, in addition to the foregoing remedy, at any time after the expiration of the term of two years, whether notice to redeem has been given or not, file a bill in equity to foreclose the right of redemption, but on filing such bill the right to redeem shall exist and continue until barred by the decree of sale of the Court of Chancery; the title of a purchaser at an assessment sale shall cease and determine, and the certificate of sale shall be void at the expiration of twenty years from the date of the assessment sale, unless the purchaser shall, before the expiration of the term, enter into actual possession of the land purchased, or foreclose the right to redeem the same by notice or by proceedings in equity, and record the evidence thereof as above prescribed.

Bill to foreclose right of redemption.

When title ceases and certificate of sale void.

41. No sale shall be set aside because of insufficient description in the duplicate, or failure of the clerk of the taxing district to record all the proceedings relative to the sale, if it shall appear by other legal evidence that the land sold was in fact that assessed, and that the sale was made pursuant to law; no sale shall be set aside because of variance between the date of any published notice and the actual publication thereof, if notice has actually been given for the time required; where the assessment itself is valid, and the assessment

Setting sales aside.

Refunding with interest when sale set aside.

is justly due, no sale shall be set aside except on condition that the amount due shall be paid to the holder of the assessment lien; where the assessment sale shall be set aside because of defective proceedings on the part of its officers, the taxing district shall refund to the purchaser the price paid by him on the sale, with simple interest, upon his assigning to the taxing district the certificate of sale and all his interests in the assessment and the assessment lien, and the taxing district may re-advertise and sell, if the assessment lien remains in force.

Re-sale.

Appeal from  
assessment.

Notice served.

Hearing.

Determination  
by court.

Books cor-  
rected.

Assessments  
paid in  
installments.

42. Any owners of any property assessed under the provisions of this act may appeal from the said assessment to the Court of Common Pleas of the county wherein such municipality is located, by serving written notice of such appeal upon the tax collector within ten days after the confirmation of the assessment. A copy of such notice, together with verification of the service thereof, shall be filed in the office of the clerk of said Court of Common Pleas within one week after service thereof, or such appeal shall be considered waived. Such notice shall show the address of the appellant where notice of further proceedings may be served upon him. The hearing upon such appeal shall be brought on upon order of said court, at a day and place to be fixed by it, but all appeals from parts of the same assessment shall be heard at one time. On such appeal said court shall determine whether or not the assessment upon any parcel of land or real estate is a just and fair assessment, and if not, shall make an order correcting the same, which shall be served upon the tax collector. In case the assessment is sustained, the court shall so order, but no more than one order shall be made in the case of an assessment for any one improvement. The tax collector shall note corrections in his books and report the same to the proper financial officer of the municipality.

43. The governing body may, by resolution, provide that the owner of any lands, upon which any assessment for any improvement shall have been made, may pay such assessments in such equal yearly install-



ments, not exceeding ten, with legal interest thereon, and at such time in each year as the said governing body shall determine; *provided*, that any party assessed shall have the privilege of paying the whole of any assessment or any balance of installments, with accrued interest thereon, at one time; in case any such installment shall remain unpaid for thirty days from and after the time when the same shall have become due and payable, the whole assessment, or balance due thereon, shall become and be immediately due and payable, shall draw interest at the rate imposed upon the arrearages of taxes in such municipality, and shall be collected in the same manner as is provided by this act for other past due assessments; whenever any owner shall be given the privilege of paying any assessment in installments, such assessment shall remain a lien upon the land described therein until the same, with all installments and accrued interest thereon, shall be paid and satisfied, and no proceedings to collect or enforce the same need be taken until default shall be made in the payment of any installment as above provided.

Proviso.

If installment unpaid.

Assessment a lien.

44. All assessments as collected shall be immediately placed in an account to be known as "Local Improvement Assessment Account." Such moneys shall be used only to pay indebtedness incurred for such improvements, whether by temporary or permanent certificates, notes or bonds; *provided*, that when a sinking fund is maintained, upon a vote of the governing body, such moneys as collected shall be paid into such sinking fund and kept in a similarly designated account, and used for the purposes herein described.

Account.

Proviso; sinking fund.

45. Where the amount of assessments do not equal the amount of the cost of an improvement, the difference between the cost of the improvement and the amount of the assessment shall be paid by the municipality, and may be raised by taxation at large, or paid out of any funds of the municipality available for the purpose. It shall not be necessary to raise the whole amount of such difference in any one year, but the same may be raised by equal installments, to be fixed by the governing body. The entire amount to be raised by the

If amount does not equal cost, difference paid by municipality.

municipality shall be levied before the date when bonds issued to secure the funds for said improvements fall due.

Report of financial officer as to amount to be levied.

The financial officer of the municipality shall, one month before the time for passing the annual tax budget, report to the governing body the cost of each improvement completed during the year, the amount of the assessments levied therefor, and the amount necessary to be levied by general taxation.

Report to comptroller or auditor.

46. In municipalities where a comptroller or auditor is maintained, the collecting officer, immediately upon receipt of an assessment duplicate, shall report the amount thereof to such comptroller or auditor.

If assessments set aside, new assessment made.

47. In all cases where any assessments for benefits incident to any improvement shall be set aside by any court of competent jurisdiction, and such improvement shall have been actually made in the manner provided by law, it shall be the duty of the officer or board charged with the duty of making assessments for benefits for local improvements to make a new assessment of benefits upon the property benefited by said improvement, in the manner and by the proceeding herein provided; all such new assessments shall become a lien upon the property so assessed in the same manner and with like effect, and shall be enforceable in the same way as in case of an original assessment for like improvements.

New assessments a lien.

Amount of assessment refunded under certain conditions.

Where any court of competent jurisdiction shall decide that an assessment for a local improvement has been illegally made, and in case no new assessment can be made, the municipality shall refund the amount thereof, if the same has been paid; and in case a new assessment of a less amount is made, then the difference between the new assessment and the amount paid shall be refunded.

Work done by municipality or by contract.

48. All work, or any portion thereof, in connection with any local or general improvement, may be done either by the municipality or by contract awarded to the lowest responsible bidder; advertisements for bids for the doing of any such work shall be published, and the bid shall be received and the contract awarded, in each

municipality in accordance with the general laws applying thereto.

49. The annexation of the whole, or a portion of a municipality to another municipality, or the consolidation of two or more municipalities, shall not affect the making of assessments for benefits or damages by reason of local improvements made under this act in either or any of said municipalities; in such case assessments shall be made in the manner provided herein by the board or body charged with the duty of making such assessments of the municipality as shall be agreed upon by and between the said municipalities before such annexation or consolidation shall become effective; *provided, however*, that no assessment shall be made for any such improvement unless the municipality initiating the same could have levied such assessment, and shall have given notice of its intention to make such improvement as provided by any statute effective in such municipality at the time such improvement was commenced.

Assessments for benefits not affected by consolidation.

Proviso.

50. Whenever the governing body of one municipality may deem it advantageous to lay out, open and construct a road or street through such municipality into and through an adjoining municipality, to connect any road or street therein with a road or street in the first municipality, it may acquire the necessary land in such adjoining municipality by purchase or condemnation, and lay out, open and construct such road or street as it may deem necessary. The laying out, opening and construction of such road may be carried out as a local improvement, and the benefits therefrom assessed on any lands or real estate benefited thereby in the municipality laying out, opening and constructing such road or street.

Land for roadway in adjoining municipality.

Considered a local improvement.

51. The governing body of a municipality may undertake any improvement herein mentioned at the request of a number of petitioners who shall agree to pay the cost of said improvement and all expenses incidental thereto, and any other charge imposed by the governing body; such petitioners shall file with the governing body a statement showing the improvement

Improvement at request and expense of petitioners.

desired, the land owned by each of them, and the proportion of the cost each is willing to pay; such statement shall be verified by each of said petitioners, and said petitioners shall enter into bond with sufficient surety to the municipality in double the amount of the cost of the improvement as estimated by the engineer of the municipality, conditioned for the prompt payment of the cost of the improvement and all expenses incidental thereto and charges imposed as aforesaid, before any such work or improvement is commenced. The governing body may insist on any further security for such payment it may deem advisable, and, when so secured, may proceed to make the said improvement. Upon the completion thereof, the governing body shall determine the cost and expense thereof and cause the same to be collected from the said petitioners.

52. Whenever a municipality has heretofore undertaken a local improvement under any statute effective in such municipality, the same may be completed under the provisions of this act and an assessment for benefits or award of damages therefor may be imposed hereunder; *provided, however*, that before the commencement of such improvement, notice was given under a statute permitting an assessment for benefits, and a hearing accorded to persons interested; *and provided, further*, that no assessment may be levied hereunder on lands which could not have been assessed under the act under which the improvement was commenced, nor shall the assessment be greater than could have been levied under such act.

53. It shall be lawful for a governing body in any ordinance providing for the pavement of a street to designate two or more kinds of material to be used, and to advertise for proposals for the work of making such improvement with each of the materials so designated. Said governing body, after receiving such proposals, may determine which of such materials shall be used in the making of such improvement. Such governing body may solicit bids for any such work before the final passage of any such improvement ordinance and

announce the same at any hearing accorded under such ordinance to persons interested in such improvement.

54. In any municipality where a railroad company occupies and uses a part of any street and said company is charged with the duty of paving or maintaining any portion of said street, it shall be lawful for the governing body to agree with said railroad company as to the proportion of the cost of any improvement of said street contemplated by the municipality, to be paid by said company. After making such agreement the municipality may proceed to make the whole of said improvement, and the company shall pay to the municipality the proportion of such cost as soon as the amount thereof is determined by the governing body.

Agree with  
railroads as  
to paving.

55. All lands and real estate that may be or may have been mortgaged to or owned by any officer of this State in his official capacity, or may be or may have been mortgaged to or owned by any official or person appointed by any court, or in any judicial proceeding had or taken in this State or elsewhere, in his official capacity, and held in trust for the benefit of any person, shall be subject to assessment for benefits for local improvements as in case of land held or owned by other citizens of this State, and all assessments levied in pursuance of this act shall be and remain a lien against such land and real estate as in case of assessments imposed or levied against property of other persons; and it shall be lawful for the board or officer charged by law with the duty of collecting assessments in any municipality in which such land and real estate may be situate, to collect such assessments in the same manner that other assessments for local improvements are or may be collected, and to sell such land in the same manner that other land may be sold for unpaid assessments; *provided*, that actual notice shall be given of such intended sale to the person holding the same in trust.

Mortgaged  
lands held  
officially sub  
ject to this act.

Proviso.

## ARTICLE XXI.

### SEWERS AND DRAINS.

1. The governing body of every municipality, may, by ordinance, provide for and cause to be constructed

Sewer system,  
etc.

Use streets,  
etc.

Proviso.

Consent of  
board of  
health neces-  
sary.

On objection  
state board  
of health may  
reverse local  
authorities.

within or without the municipality any main sewer or sewers, lateral sewer or sewers, intercepting sewer or sewers, storm sewer or sewers, underground drain or drains, system of sewers, system of drains, system of sewers and drains, sewer outlets, drain outlets, filtration beds, sewage disposal works, sewage receptacles, pumping stations, or any or all such improvements, and such other erections, works, establishments and fixtures as may be required to provide proper sewerage and drainage for the municipality; and may use and occupy any streets, roads, avenues, alleys and other public places, within or without the municipality, for such purpose or purposes, or any tidewater creek or water course or portion thereof, and may acquire by purchase, gift or condemnation, and take and appropriate in the name of and for the municipality any land or interest in land that may be needed therefor, within or without the municipality; *provided, however,* that no work shall be undertaken, or any street, road, alley or other public place occupied, or land acquired under this article in any other municipality, without the consent of the governing body and the board of health of such other municipality, upon written application being made therefor, and in case of the refusal of the municipal authorities and local boards of health to grant such permission, then the municipality making the application may within thirty days after such refusal apply to the Department of Health of the State of New Jersey which shall have power to reverse the decision of the local authorities and grant the application for the erection of said disposal works, upon being satisfied that the topographical and other physical conditions existing in the applying municipality are such as to make the erection of a disposal works within its boundaries impracticable as an improvement for the benefit of the entire municipality; and in case the local authorities grant the permit to locate such disposal works, and the same shall be deemed objectionable by the inhabitants of the municipality where it is proposed to locate such works, then ten citizen freeholders thereof may, within thirty days after the granting of such permit, apply to the Department of Health

of the State of New Jersey which shall have like power to reverse the decision of the local authorities and to prohibit the location of such disposal works upon being satisfied that the topographical and other physical conditions existing in the applying municipality do not make the erection of its disposal works within its boundaries impracticable as an improvement for the benefit of the entire municipality; *and it is further provided*, that all municipalities making application as aforesaid for the location of any such disposal works shall accompany the same with a descriptive map of the premises they propose to occupy, a copy of which shall also be filed in the office of the Department of Health of the State of New Jersey.

Proviso.

2. The governing body of every municipality shall have power to purchase any sewer or drain, sewer or drain works, system of sewers or drains, or system of sewers and drains, or any rights, privileges, or interests therein or thereto, within or without the corporate limits of such municipality from any private individual or corporation owning the same, or from any other municipality, or may contract for the use thereof for a limited time or otherwise.

May purchase sewers, etc., privately owned.

3. Said governing body may, by ordinance, provide for, establish or alter a general system of sewerage and drainage for such municipality, or any part thereof, conformably to which all sewers and drains shall be constructed.

May establish general sewer system.

4. Every municipality shall have full power, from time to time, to enlarge, increase, extend, renew, alter, replace, repair, cleanse, equip, operate and maintain any and all sewers, drains and other works or structures above mentioned, which may be owned or controlled by such municipality.

Enlarge, repair, etc., sewers.

5. The governing body of every municipality owning or controlling sewers or drains shall have the entire control and management of sewers and drains in such municipality, and shall have power, by ordinance, to prescribe such charges, rules, rentals, regulations, conditions and restrictions as to the connection with and

Control and management of sewers.

the use of such sewers and drains, as in their opinion may be proper and necessary.

**Rentals.**

6. The charges for connections with and rental for the use of sewers and drains so fixed by said governing body, shall draw the same interest from the time they become due, and shall be and remain, until paid, a lien upon the premises with which such sewer or drain is connected, the same as taxes upon real estate; and said municipality shall have the same remedies for the collection of said charges and rents, with interest, costs and penalties, as the said municipality has by law for the collection of taxes upon real estate.

**May contract with other bodies:**

7. The governing body of any municipality may contract with the governing body or bodies of one or more other municipalities.

**To construct or purchase sewers, etc.;**

(a) To construct or purchase any works, system or plant set forth in this article, or any portion thereof, at their joint cost, within or without the territorial limits of the contracting parties; or

**To dispose of sewage;**

(b) To receive and care for or dispose of the sewage of such other municipality or municipalities; or

**To have sewage disposed of.**

(c) To have its sewage received and disposed of by any other such municipality or municipalities.

**Contract for removal of sewage and sewerage system.**

8. It shall be lawful for the governing body of any municipality to contract with any person or persons or corporation for the removal of sewage, and the construction of a comprehensive system of sewerage within the boundaries of such municipality, upon such reasonable terms as they may agree upon; also, for said governing body to make ordinances and rules in relation to the manner of such construction and maintenance of such sewers, and in relation to the manner in which said person, persons, or corporation, so contracting, shall exercise their rights.

**Rules and regulations.**

**Contracting party subject to governing body.**

9. Such person, persons or corporation shall be subject to such rules, ordinances and regulations as said governing body may establish, and have the right to use such streets for the purpose of the construction of such sewers as may be agreed upon by such governing body, and shall have the right to make such reasonable charges against the owners of buildings, which may be



connected with said sewers, as the said governing body may agree to.

10. The governing body of any municipality may change the course and outlet of any sewer or drain before or after the construction thereof, upon the application of any person or corporation.

Change of course and outlet.

For this purpose the said municipality may exchange lands or rights in lands acquired by it for such sewer, drain or outlet, for any other lands or rights in lands necessary to make such change.

May exchange lands or rights.

The cost of making such change, or any increase in the cost of the work by reason of such change, shall be paid by the applicant at such times and in the manner fixed by the governing body in any ordinance or resolution provided for such change.

Cost of change paid by applicant.

11. If in the construction of such sewer or drain in its changed course, or any extension thereof, it shall be necessary to cross any lands of the State under water for the purpose of obtaining an outlet, it shall be lawful to take and use such lands for that purpose, and any lands of the State under water that have been or shall hereafter be taken and used in the construction of any original sewer or drain shall, upon the construction of such sewer or drain on its changed course, revert to the State; or in case there has been or shall hereafter be a grant of such land to the riparian owner subject to the easement of the sewer or drain, such easement shall cease and determine, and the title under such grant shall become absolute.

Use of riparian lands.

12. Any outlet of any sewer into tidewater or into any creek or ditch shall be located and fixed only with the consent of the State Board of Health.

State board of health to consent to outlet.

13. It shall be lawful for the governing body of any municipality, upon adopting and carrying into effect a plan for an intercepting sewer, or system of sewerage and drainage, to cause any river, stream or creek theretofore used for the purpose of receiving the sewage of such municipality, or any part thereof, to be cleansed and otherwise improved, so as to render the same healthful and free from deleterious matter.

Cleansing streams used for receiving sewage.

Outlets for  
culverts.

14. Every municipality having streets containing culverts or other drains to tidewater shall have full and unobstructed outlets for the culverts in such streets to any contiguous streams without amenability to the claims of said water front of the Board of Commerce and Navigation, or any laws or usages thereof.

Surface drain-  
age.

15. Whenever, in the judgment of the governing body of any municipality, it is necessary to construct a drain for surface water in any county road of the county in which such municipality is situate, and one of more roads or streets of such municipality, and the board of chosen freeholders of said county in which said municipality is situate shall have approved the plans for such proposed drain and shall have appropriated a specific sum towards the construction of such drain, with the proviso that such drain shall be constructed by said municipality, and that said municipality shall pay the balance of the cost of the same, then and in such case the said governing body may, by ordinance or resolution, cause such drain for surface water to be constructed, and may provide for the payment of the balance of the cost of the same.

Use streets,  
etc., for water  
and sewer  
pipes.

16. Any municipality may use for water supply and sewer purposes, including proper house connections, any street, avenue, road, parkway or other highway situate within the territory of any such municipality, now or hereafter under the control of any county board or commission, and to that end lay down therein and maintain water pipes, with proper house connections to the property line, and may construct therein and maintain storm-water and sanitary sewers, with proper house connections to the property line, or any or all of them; and any such municipality may, by resolution and without notice, cause proper house connections to the property line of the number, character and location determined by it, to be laid down and constructed in any street, avenue, road, parkway or other highway within such municipality, now or hereafter under the control of any county board or commission, connecting any water pipes or sewers heretofore or hereafter laid down or constructed therein, whether house connections

House connec-  
tions.

have been made to the property line or not, at the time of laying down or construction of such water pipes or sewers; *provided, however*, that no such municipality shall lay down any water pipes or storm-water or sanitary sewers, or any house connections thereto, to the property line, without first having secured the approval of the plans for and location of the same by the county board or commission now or hereafter having control of the street, avenue, road, parkway or other highway in which the work is to be done; but no such work shall be done by any such municipality upon any street, avenue, road, parkway or other highway under the control and management of any county board or commission, until such municipality has entered into an agreement with said county board or commission regarding inspection and the restoration of the surface of such street, avenue, road, parkway or highway; *and provided, further*, that any such municipality opening for any purpose authorized by this act the surface of any street, avenue, road, parkway or other highway under the control of any county board or commission, shall restore the surface of the same to the same condition in which it was before such opening and on failure to so restore for a period of ninety days after notice from any county board or commission requiring such restoration, such county board or commission may itself undertake the work, and recover the expense of such restoration from the municipality failing to so restore, by action at law in any court of competent jurisdiction.

Proviso.

Restoration  
of highways.

Proviso.

17. The governing body of any municipality, or the body having control of the streets therein, may grant consent, by ordinance, to any person or corporation, to lay a pipe or pipes, and to repair or replace the same, and make connections therewith, in any of the streets or public highways of said municipality for the purpose of sewerage or drainage, upon such terms as may be imposed by such ordinance.

Consent to  
lay pipe,  
repair, etc.

## ARTICLE XXII.

## STREETS AND PUBLIC PLACES.

Ordinances  
relating to:

1. The governing body of every municipality shall have power to make, publish, enforce, amend or repeal ordinances:

Street lines  
and obstruc-  
tions.

(a) To ascertain and establish the boundaries of all streets, avenues, highways, lanes and alleys and public places in said municipality, and to prevent and remove all encroachments, obstructions and encumbrances in, over or upon any such street, avenue, highway, lane, alley and public place.

Grades;

Notice given;

(b) To establish or change the grade of or vacate any street, avenue, highway, lane or alley. Any ordinance for this purpose shall only be passed after public notice of the intention of the governing body to consider the same has been published once, at least ten days prior to the date of the introduction of such ordinance, in a newspaper circulating in the municipality, which said notice shall designate the time and place when and where such governing body will consider the said ordinance. At the time and place so designated, or at any other time or place to which the meeting shall have adjourned, all persons whose lands may be affected by such ordinance, or who may be interested therein, shall be given an opportunity to be heard concerning the same.

Use of streets;

(c) To prescribe the time and the manner in which and the terms upon which corporations or persons shall exercise any privilege granted to them in the use of any avenue, street, highway, alley or public place, or in digging up the same for laying down rails, pipes, conduits or any other purpose whatever.

Stoop, win-  
dows, base-  
ments, etc.,  
projecting;

(d) To prevent or regulate the erection or construction of any stoop, step, platform, window, cellar door, area, descent into a cellar or basement, bridge, sign, or any post or erection, or any projection or otherwise, in, over or upon any street or avenue, and for the removal of the same, at the expense of the owner or occupant of the premises, where already erected.

(e) To cause the owners of property abutting on any street or highway to erect or construct fences, walls or other safeguards for the protection of persons upon said streets or highway from injury from unsafe places on said property adjacent to or near such street or highway; and for the erection or construction of the same by the municipality, at the expense of the owner or owners of such property.

Guarding unsafe places;

(f) To prevent persons from depositing, throwing, spilling or dumping dirt, ashes or other material upon any street or highway or portion thereof, or causing, allowing or permitting the same to be done.

Throwing ashes upon street;

(g) To regulate or prohibit the placing of banners, flags, projection or otherwise, in, over or upon any street or avenue.

Display of flags, etc.;

(h) To cause the territory within the municipality to be accurately surveyed and a map prepared, showing the location and width of each street, avenue, highway, lane, alley and public place, and a plan prepared for the systematic opening of roads and streets in the future; such map may be amended and changed from time to time.

Map of thoroughfares;

(i) To provide for the adoption and changing of a system of numbering all buildings and lots of land in such municipality, and for the display upon each building of the number assigned to it, either at the expense of the owner thereof or of the municipality.

House numbering;

(j) To provide for the naming and changing of names of streets and highways, and for the erection thereon of signs showing the names thereof, and guide posts for travelers.

Names of streets;

(k) To regulate processions and parades through the streets and highways of the municipality.

Parades;

(l) To regulate or prohibit the erection and maintenance of fences, or any other form of enclosure fronting along the line of any street, avenue, highway, lane, alley or public place.

Fences.

2. The governing body of every municipality shall have power to accept any street, road, square, beach or other public place dedicated to public use, and after such

Accept streets for public use.

acceptance the same may be improved and maintained by said municipality.

Ordinances or resolutions as to streets, etc., filed with county clerk.

3. A copy of any ordinance or resolution ascertaining and establishing the boundaries, laying out, accepting the dedication of, widening, straightening, extending or changing in any manner the location of any street, road, avenue, alley, or other public highway or portion thereof, or of any square, beach or other public place, together with a map showing the location, bounds and dimensions thereof; shall, after the passage of the same, be filed in the office of the clerk of the county in which such municipality is situate.

Release of dedicated land.

4. Whenever in any municipality there has been heretofore or shall be hereafter a dedication of lands as a public street or highway, or as a public square or public place, and the same has not been accepted or opened by the municipality, and it shall appear to the governing body that the public interest will be better served by releasing said lands or any part thereof from such dedication, said governing body shall have power by ordinance to release and extinguish the public right arising from said dedication as to the whole or any part of said lands, and thereupon said lands, or the part thereof so released, shall be effectually discharged therefrom as though said dedication had not taken place; *provided, however*, that notice of the intention of the governing body to consider any such ordinance, and a hearing thereon, shall be given as is herein provided concerning ordinances for the vacation of streets.

Proviso.

Conduits.

5. The governing body of every municipality shall have power to make, publish, enforce, amend or repeal ordinances authorizing the laying in the streets and public places of the municipality of conduits for the carrying of wires owned by utility corporations. Every municipality shall have power to construct and lay in the public streets and public places of the municipality conduits for the carrying of wires, and to place therein any wires owned or controlled by the said municipality, and may rent to any person or corporation space in any of the said conduits for wires controlled or owned by such person or corporation.

6. Whenever any street, highway or public road shall be changed or altered, the governing body may direct all persons or corporations having or maintaining in such street, highway or public road, any tracks, poles, wires, pipes, conduits or other structures, to remove the same therefrom, and to relocate the same in the changed or altered street, highway or public road. Before making any such order or direction, the person or corporation owning or controlling any such tracks, poles, wires, pipes, conduits or structures shall be accorded a hearing by the governing body, notice of which hearing shall be given to such person or corporation, in writing, a copy of which shall be left with the person in charge of the place of business maintained by such person or corporation in the municipality, or if no such place of business is maintained in the municipality, then a copy of such notice shall be mailed to the residence or principal office of such person or corporation.

On making street changes, relocation of tracks, poles, conduits, etc.

7. Whenever a municipality shall undertake any improvement upon or in any public street, and the making thereof makes necessary any work in connection with any tracks, poles, wires, pipes, conduits or other structures owned or controlled by any person or corporation, all such work shall be done by such person or corporation, when and as directed by the governing body.

Necessary changes made by owners.

8. Where any person or corporation shall fail to comply with the direction of the governing body of a municipality to make any changes or to do any work referred to in the two preceding sections, the same may be made or done by the municipality at the expense of such person or corporation, and the cost thereof recovered by the municipality in any court of competent jurisdiction.

On failure to comply, work done by municipality.

9. Whenever any tracks, poles, wires, pipes, conduits or other structures shall have been relocated under the provisions of this act, the person or corporation owning the same shall have the same right to maintain and operate the same in the new location for the same length of time and in the same manner as he or it had in their former location at and immediately before such removal.

Period for operating after relocation.

Joint im-  
provement of  
streets.

10. Where two or more municipalities are separated by any public road, street or highway not under the control of the board of chosen freeholders, the center of such road shall be deemed to be the dividing line between such municipalities for the purpose of maintaining, or in anywise improving any such road, street or highway. Any two or more municipalities are hereby authorized to make and execute by or through their respective governing bodies any joint agreement or joint contract for the maintenance or improvement of any such road, street or highway, in the manner herein provided. Any one of such municipalities in the absence of any such agreement or contract may undertake any sidewalk improvement upon any such street or highway lying between the center line and the side line thereof nearer to such municipality.

Material for  
street im-  
provements.

11. In the making of any street improvement a municipality may use any material the governing body may deem best suited for the making of the same; and in ascertaining the cost of any improvement for the purpose of certifying the same to the assessing officer or board, may fix and determine the value of any old material used by the municipality in such work.

#### ARTICLE XXIII.

##### STREET CLEANING AND DISPOSAL OF REFUSE.

Clean streets,  
collect ashes.

1. The governing body of every municipality shall have power to provide for the cleaning of the streets of the municipality, and for the collection, removal and disposal of ashes, garbage and other refuse, and to establish and maintain a system therefor.

Crematory.

2. The governing body of every municipality shall have power to erect the necessary buildings and equip the same with all appliances necessary for the cremation, destruction or other disposal of such garbage or refuse matter. Such buildings may be erected on any lands owned by the municipality and suitable for the purpose, or the municipality may acquire the necessary lands by purchase, gift or condemnation.



3. The governing body of every municipality shall have power to purchase, maintain and operate the necessary equipment for the cleaning of streets and for the collection or removal of garbage, ashes and other refuse matter.

Equipment  
for cleaning,  
etc.

4. If in the opinion of the governing body it is more advantageous for such municipality to have the streets thereof cleaned, or the ashes and garbage and other refuse collected and removed and disposed of by persons other than the authorities of the municipality, they shall have power to make a contract or contracts for such works, or any portion thereof, with any individual or individuals, corporation or corporations. The governing body shall first adopt specifications for the doing of such work in a sanitary and inoffensive manner, and such contract shall be entered into and made only after bids therefor shall have been advertised for in one or more newspapers published or circulating in the municipality, at least ten days prior thereto, and then only with the lowest responsible bidder or bidders who shall give satisfactory bonds or security for the faithful performance of the work.

May contract  
for street  
cleaning, col-  
lection of  
ashes, etc.

Specifications.

5. The governing body shall have power to make, enforce, amend or repeal all such ordinances, resolutions, rules and regulations as may be deemed necessary and proper for the maintenance and operation of such plant for the cremation, destruction or disposal of such garbage and refuse, and for the introduction, operation and management of such system of collecting, removing and disposing of ashes, garbage and other refuse matter, and for the government of employees connected therewith.

Make neces-  
sary ordi-  
nances, rules  
and regula-  
tions.

6. It shall be lawful for the governing body of such municipality to provide for the doing of the above work at the general expense; or if it deem it more advisable, to fix a rate or rates to be charged by the municipality for the collection, removal or disposal of ashes, garbage and other refuse matter, and to provide for the manner of the payment of same, and to maintain an action at law to recover any moneys due therefor.

Provision  
for meeting  
expenses.

Dumping  
ground.

Proviso.

7. Any municipality may acquire within or without its corporate limits, either by purchase or condemnation, or may lease for a term of years unimproved lowland for the purpose of supplying a place of deposit for the indestructible waste collected in said city; *provided*, no lands shall be acquired for such purpose without the corporate limits of the municipality without the consent of the governing body and of the board of health of the municipality in which such land is situate.

#### ARTICLE XXIV.

##### LIGHTING OF STREETS AND PUBLIC PLACES.

Street lighting.

1. The governing body of every municipality shall have power by ordinance to cause the streets and public places of such municipality to be lighted, to acquire all necessary lands and real estate for that purpose by purchase, gift or condemnation, and to erect thereon all necessary buildings and to equip the same with all necessary machinery and equipment, and to erect and maintain on or under said streets and public places all necessary poles, conduits, wires, fixtures and equipment, and to operate such lighting system at public expense.

May contract  
for lighting.

2. In case the governing body shall deem it more advantageous for the municipality, it may enter into contract with any individual or individuals, corporation or corporations, for the lighting of such streets and public places for any term not exceeding five years. Any such contract may provide for the furnishing and maintenance of the necessary poles, conduits, wires, fixtures and equipment on or under the streets or public places by the municipality, or by the contractor.

Lighting in  
townships.

3. Nothing herein shall repeal or make void any statutory provision for the creation of lighting districts in townships, and the lighting of streets and public places in said districts, nor shall governing bodies in townships have power to make any contracts for lighting for a longer period than one year, except as now provided by law.

## ARTICLE XXV.

## SIDEWALKS.

1. The governing body of every municipality shall have power to make, enforce, amend and repeal ordinances regulating and providing for the construction, reconstruction, paving, repaving, curbing, recurbing, improving and repairing of sidewalks in the streets, roads and highways of the municipality, at the cost and expense of the owner or owners of the land in front of which any such improvement shall be made. Every such governing body shall have power to prescribe the kinds of materials to be used in such work and the method of doing the same, and to provide for the inspection thereof; *provided, however*, that where the grade of the street, road or highway, or of the section thereof along which any such improvement is proposed to be made, shall have been established by law previous to the passage of the ordinance providing for such improvement, the said improvement shall be made to conform as nearly as practicable to the grade so established.

Sidewalks.

Materials.

Proviso.

2. If, after the passage of any such ordinance, the owner or owners of any lands affected thereby shall neglect, after notice given as herein provided, to make any improvement by said ordinance directed and required, it shall be lawful for the governing body to cause such improvement to be made under the direction and supervision of the proper officer of the municipality, or to award one or more contracts for the making of such improvement.

If owners neglect, municipality to pave.

3. Before proceeding to make any such improvement or awarding any contract for the making thereof, it shall be the duty of the governing body to cause notice of such contemplated improvement to be given to the owner or owners of any lands affected thereby; such notice shall contain a description of the property affected, sufficiently definite in terms to identify the same, as well as a description of the required improvement and a notice that unless said improvement shall be completed within thirty days after the service thereof, it is

Notice of intent.

**Service.**

the intention of the municipality to make such improvement, or cause the same to be done, pursuant to the authority of this act. Such notice may be served upon the owner or owners resident in such municipality in person, or by leaving the same at their usual place of residence with a member of their family above the age of fourteen years; in case any such owner shall not reside in the municipality, such notice may be served upon him personally or mailed to his last known post-office address, or it may be served upon the occupant of the property or upon the agent of the owner in charge thereof; in case the owner of any such property is unknown, or service cannot for any reason be made as above directed, notice thereof shall be published at least once, not less than thirty days before the making of such improvement by the municipality, in a newspaper circulating in the said municipality; there may be inserted in the said advertisement notice to the owner or owners of several different parcels of land. Notice to infant owners, or owner or owners of unsound mind, shall be served upon their guardians. When lands are held in trust, service shall be made upon the trustee. When lands are held by two or more joint tenants, tenants in common or tenants by the entirety, service upon one of such owners shall be sufficient and shall be deemed and taken as notice to all. Proof of service of such notices shall be filed within ten days thereafter with the officer having charge of the record of tax liens in the municipality, but failure to file the same shall not invalidate the proceedings if service has actually been made as herein provided.

Notice to  
guardians,  
trustees, etc.

Proof of  
service.

Apportion-  
ment of cost.

4. When any sidewalk improvement shall be made by any municipality, a true and accurate account of the cost and expense thereof shall be kept and apportioned among the several properties improved, in proportion to the frontage of their respective lands, and a true statement of such cost, under oath or affirmation, shall be forthwith filed by the officer of the municipality in charge of such improvement with the clerk of the governing body; the said governing body shall examine the same, and if the same is properly made, shall con-

firm the same and file such report with the officer of said municipality charged with the duty of collecting taxes. The said officer shall record the said sidewalk assessments in the same book as other assessments.

5. Every such assessment shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the municipality where the same is imposed, and from the date of confirmation shall be a first and paramount lien upon the respective lands assessed, to the same extent as assessments for local improvements under this act, and shall be collected and enforced in the same manner; and every officer charged with the enforcement and collection of assessments for local improvements is hereby charged with the same duties in regard to the collection and enforcement of sidewalk assessments. No such assessment shall be invalid by reason of any error or omission in stating the name of the owner or owners of any such lot of land or real estate, nor for any other informality where such lot of land or real estate has actually been improved.

Assessments  
a lien.

Error in as-  
sessment not  
to invalidate.

6. The governing body of any municipality imposing any assessment for any sidewalk improvement may provide for the payment of the same in installments, in the same manner as assessments for local improvements are payable in installments in said municipality, in which case such installments shall bear the same rate of interest and be collected and enforced in the same manner as are installments of assessments for local improvements.

Assessments  
may be paid in  
installments.

7. Any municipality may provide for the laying of crosswalks, and also for the grading, paving, repaving or improving of the portions of sidewalks that lie in the angles of the intersections of streets, at general expense.

Crosswalks.

8. The governing body of every municipality shall have power to make, enforce, amend and repeal ordinances requiring the owner or owners, tenant or tenants, of lands abutting or bordering upon the sidewalks and gutters of public streets, avenues and highways, to remove all snow and ice from the same within twelve

Removing  
snow and ice  
from sidewalks  
and gutters.

Removal of  
weeds.

Removal by  
authorities.

Cost of re-  
moval charge-  
able to prop-  
erty.

Sidewalk  
improvements  
may be done  
by contract.

hours of daylight after the same shall be formed or fall thereon, and all grass, weeds and other impediments therefrom within three days after notice to remove the same, and to provide for the imposition of penalties for the violation of any such ordinance; and also for the removal of such snow, ice, grass, weeds or other impediments, by or under the direction of some officer of the municipality in cases where the owner or owners, tenant or tenants, shall have refused or neglected to remove the same, in the manner and within the time provided above.

9. In all cases where snow, ice, grass, weeds or other impediments are removed from any sidewalk or gutter under any such ordinance, by or under the direction of an officer of the municipality, such officer shall certify the cost thereof to the governing body, which shall examine the certificate, and if found correct, shall cause the cost as shown thereon to be charged against the lands abutting or bordering such sidewalk or gutter; the amount so charged shall forthwith become a lien upon such land, and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

10. In lieu of awarding separate contracts for the making of sidewalk improvements, a municipality may award a contract to the lowest responsible bidder for making all sidewalk improvements the municipality may desire made within a period of one year or less. Such contracts shall be awarded in the same manner and after the same advertisement as other contracts.

## ARTICLE XXVI.

### TUNNELS.

Highways may  
be connected  
by tunnels.

1. When, in any municipality, any street or streets have been improved by such municipality to or near any navigable waterway or basin, on both sides of the said waterway or basin, and for any reason it shall be deemed advisable to build a tunnel or tunnels under

such waterway or basin, to connect such street or streets or parts of streets, at or near the end or ends thereof, with a street or streets or parts of streets, at or near the ends thereof on the opposite or other side of such waterway or basin in the same municipality, then it shall be lawful for the governing body of such municipality to lay out and construct a tunnel under such waterway or basin, and under such parts of such streets or adjacent streets, highways or avenues as shall be desirable to make the grade of such tunnel and approaches practicable, with the necessary approaches thereto on each side, connecting such street or streets, or parts of streets, with a street or streets, or parts of street, or adjacent streets or highways or avenues on the opposite or other side of such waterway or basin, in the same municipality, of sufficient size to accommodate the public travel thereby and therein, instead of over such street or streets or adjacent streets, highways or avenues where such tunnel or its approaches shall be built.

Approaches.

2. Said governing body may locate the same wholly on private lands, or partly in streets or highways or avenues and partly on private lands; and power and authority to enter upon, open, use and occupy such portion of any such street, highway or avenue in said municipality as may be necessary or proper to properly construct such tunnel or tunnels and approaches, is hereby vested in said governing body.

Location of tunnel and approaches.

3. When any such tunnel or tunnels or approaches shall be located upon any land other than a highway, avenue or street, or land which has already been acquired by the municipality, and such land or any easement, right or estate therein shall be necessary for the construction of such tunnel or tunnels or approaches, then it shall be lawful for said municipality to acquire the said lands in fee-simple or any lesser estate or right therein; the proceedings for acquiring such property shall conform to the proceedings now provided by law for the acquiring of lands for the opening of such streets in such municipality; in case it shall be necessary to own or take any lands of the State under or above tidewater, or the State's interest therein, it shall

Acquiring necessary land.

Taking riparian land.

be lawful to take and use such lands or interest for said purposes, and the State hereby assents to such taking without compensation; the proceedings to ascertain the damages, if any, sustained by the owner or owners of lands fronting on such improvements, by reason of the building and maintaining such tunnel or tunnels or approaches, shall conform, as near as may be, to the proceedings now provided by law for ascertaining the damages sustained by the owners of any property injured by the change of grade of a street where such street has been built upon since the establishing of a former grade in such municipality.

Proceedings  
to ascertain  
damages.

May contract  
with owners  
of land to  
build tunnel.

4. The said governing body of such municipality, with the mayor or other chief executive officer of such municipality, are hereby authorized and empowered to enter into contract with the owner or owners of lands fronting on all or any part of said proposed tunnel or tunnels or approaches, or with any person or persons who may prefer a tunnel to other means of connecting as aforesaid, whereby such owner or persons may themselves build or erect said tunnel or tunnels and approaches, or whereby they may contribute towards the building of the same such sums of money as in the judgment of such governing body and the mayor or other chief executive officer of such municipality may be just and fair, in consideration of the said authorities vacating the whole or any portions of such street or streets over and above and on each side of the proposed tunnel or tunnels or approaches, which vacation said authorities are hereby empowered and authorized to do and make in consideration thereof, any law, usage or charter to the contrary notwithstanding; *provided*, that no contract or act of vacation under this act shall impair the public right in any such street or part of street until such tunnel is completed.

Vacating by  
authorities.

Proviso.

Statement  
of cost and  
damages filed.

5. The governing body authorized to construct such tunnel shall file with the clerk of such municipality a statement in writing in detail of the estimated cost of such tunnel or tunnels, and of the estimated damages to be paid to property owners by reason of the construction thereof and the approaches: until such a



statement shall have been filed, no contract or act of vacation, under the provision hereof, shall be made.

6. The work provided for in this article shall be undertaken as a general improvement, and the provisions therefor, except as in this article otherwise provided, shall conform with proceedings provided in this act for making general improvements.

Tunnel considered general improvement.

## ARTICLE XXVII.

### BRIDGES AND VIADUCTS.

1. Whenever the boundary line of any two municipalities adjoining each other is defined and marked by a precipitous hill or cliff so that travel by reason thereof between such municipalities is difficult to the public in the judgment of the governing body of each of such municipalities, and when it shall appear by reason thereof to such governing body of each of said municipalities that it will be conducive to the public good and convenience to construct or cause to be constructed a bridge or viaduct between such municipalities, it shall and may be lawful for the governing body of each of such municipalities to provide by ordinance for the erection and construction of such bridge or viaduct between such municipalities. The cost shall be borne and paid by the said municipalities, proportionately as shall be agreed upon by their respective governing bodies.

Joint construction of bridge.

2. For the purpose aforesaid, the governing body of each of such municipalities shall include in the said ordinances the names of two commissioners for each of such municipalities, both of whom shall be residents and freeholders of their respective municipalities; said commissioners, after the said ordinances become operative, shall meet as soon as practicable, and organize by the election of one of their number as president, one as secretary and one as treasurer, and shall thereafter employ a competent surveyor and engineer, who shall draw maps, plans and specifications for the construction of the said bridge or viaduct; said maps, plans and specifications shall be considered, and, if satisfactory, shall be approved by said commissioners, and a copy

Joint commission.

Organization.

Engineer.

Plans and specifications.

thereof shall be filed by them in the office of the clerks of the respective municipalities.

Bond of commissioners.

Route.

Proposals invited.

Award of contract.

Improvement certificates for work done.

Payable.

Rate.

3. The said commissioners, before entering upon the performance of their duties, shall give bonds in the usual form to the municipality by which they are appointed, to be approved by the governing body of such municipality, for the faithful performance of their duties; said commissioners shall, after their organization as aforesaid, proceed to lay out, in conjunction with the said surveyor and engineer, a route for the said proposed bridge, road or viaduct, which bridge, road or viaduct, shall connect at each end with some public street of proper width in each of said municipalities, and after the locating of the said bridge, road or viaduct as aforesaid, and the filing of the necessary maps, plans and specifications in the offices of the respective clerks as aforesaid, the said commissioners shall advertise for proposals for the performance of the said work and the construction of the said bridge, road or viaduct, or for any part thereof, by sections, which advertisement shall be inserted in at least one newspaper circulating in such municipalities, once a week for four weeks successively; that after the proposals for the said work have been received by the said commissioners, and the probable cost of the same properly estimated, the said commissioners shall award the said work to the lowest responsible bidder, who shall give proper security for the faithful performance of the same in accordance with the maps, plans and specifications aforesaid; and thereafter the said commissioners shall issue improvement certificates in the names of the said municipalities jointly to the said contractors in payment for the work done upon the said bridge or viaduct, in the same form as improvement certificates for public work are now issued in said municipalities, which certificates shall be payable at a time not exceeding two years from the date of issuing the same, and shall bear interest at a rate not to exceed five per centum per annum; that at the expiration of two years from the date of issue of the said improvement certificate, and after the construction of the said work, and the accept-

ance of the same by the said commissioners, the governing body of each of the said municipalities shall cause the said improvement certificates to be funded, and each of said municipalities shall issue its own bonds for the proportion of the total cost thereof which it agreed to pay. Bond issue.

4. Said commissioners shall have power to employ such necessary agents and servants in and about the construction of the said work as they may deem necessary for the proper performance thereof, and shall take bonds from each of said agents and servants in the name of the said municipalities jointly for the proper performance of the duties of such clerks, agents and servants. Assistants.

5. If the said commissioners are able to agree with the owner or owners of any lands and premises necessary to be possessed or occupied for the proper construction and operation of the said bridge or viaduct, they shall have power to make all necessary agreements and contracts; and accept all necessary conveyances for such lands and premises, and in payment thereof shall have power to issue improvement certificates as provided herein and in the same manner as for work done by the contractors upon the said bridge or viaduct. Settlement with owner of property taken for bridge.

6. If the said commissioners are unable to agree with the owner or owners of any lands or premises required for the proper construction and operation of the said bridge or viaduct, or if said owner or owners should be minors, non-residents, or incompetents, so that an agreement cannot be legally made for the purchase of said lands and premises, the said commissioners are hereby authorized and empowered to acquire such lands or premises by condemnation. Condemnation may be resorted to.

7. After the construction of said bridge, road or viaduct and its approaches by the said commissioners, the same shall be kept in repair and properly maintained by said municipalities, each paying the proportion of the cost thereof agreed upon in the contract for the construction thereof. Said road, bridge or viaduct shall be under the jurisdiction and control of the committee on streets, or other board or authority in charge Repairs and maintenance of bridge and approaches.  
Jurisdiction.

of streets, in each of the said municipalities, within their respective lines and jurisdictions.

Payments.

8. All the lawful expenses and disbursements of the said commissioners shall be ordered paid by the governing bodies of each of said municipalities, upon a proper draft or warrant signed by the president of such commission and countersigned by the treasurer thereof; and all improvement certificates issued as aforesaid shall be signed and countersigned by the respective comptrollers or officers performing equivalent duties in each of such municipalities, so that a correct account of such certificates and expenses shall be kept by each of said municipalities; and the bonds issued under the provisions of this act by each of such municipalities shall be signed and issued in the same manner as bonds are now issued by such municipalities.

Compensation  
of commis-  
sioners.

9. The compensation of the said commissioners for their services shall be fixed by the governing body of each of said municipalities, and shall be expressed in the ordinances appointing such commissioners.

## ARTICLE XXVIII.

### WHARVES, DOCKS, ETC.

Wharves,  
docks, bulk-  
head and pier  
lines.

1. The governing body of every municipality shall have power to make, enforce, amend or repeal ordinances providing for the improvement, extension, alteration, maintenance, use, regulation and supervision of wharves, piers, bulkheads, docks, slips, basins, harbors and harbor structures; and shall also have power to make, or cause to be made, surveys and soundings and to prepare plans therefrom, and to keep records thereof, and to regulate, fix and establish bulkheads and pier-head lines and the distance between piers, subject to the regulations of the United States and the State of New Jersey; said governing body shall also have power to adopt and promulgate rules and regulations for the construction, extension, alteration, improvement, repair and use of all wharves, piers, bulkheads, docks, slips, basins, harbors and harbor structures, within the limits of said municipality, and to provide for the

Rules and  
regulations as  
to building,  
use, etc., of  
wharves, etc.

issuance of licenses and permits in relation thereto, upon the payment of certain fees to be fixed from time to time.

2. The governing body of every municipality, after a hearing of the parties in interest, shall have power to regulate the service and to fix maximum rates for public wharfage, crannage and dockage, whether the service is performed by the owners of said wharves, piers and docks, or by said municipality.

Rates for wharfage.

3. Whenever any person or persons, corporation or corporations, shall desire to construct, extend or alter any wharf, or other building in the nature of a wharf, or to erect, extend, alter or improve any other harbor structure, within the limits of any such municipality, such person or persons, corporation or corporations, shall make application in writing to the proper officer or body, stating the nature and extent of such intended wharf, other building aforesaid, or harbor structure, improvement, alteration or addition thereto, and file with him or them plans and specifications showing fully the proposed erection, construction, extension, alteration or improvement, and produce their deed or deeds, or other evidences of title to the property to be so occupied, altered or improved; whereupon the governing body shall give notice of the time and place of hearing such application, to all parties interested, by advertising at least once a week for two successive weeks in two newspapers of general circulation in the municipality within which such application is made, and by posting such notice upon the premises referred to in such application; and if the governing body upon said hearing shall approve the plans and specifications offered and such application, it shall give its assent and issue a license for the erection, construction, extension, alteration or improvement for which application shall have been made, and cause the same to be recorded in the office of said officer or body of the said department, in a book to be kept by it for that purpose, and such license shall not be unreasonably withheld.

Construction of wharf by person or corporation.

Application.

Plans.

Title to property.

Notice of hearing on application.

Hearing and determination.

Record.

Acting with-  
out licenses.

Penalty.

Proviso.

Prosecuting  
work of build-  
ing.

Proviso.

Private  
wharves prop-  
erly main-  
tained.

4. If any person or persons, corporation or corporations, shall construct, alter or improve any wharf or building or harbor structure, as aforesaid, within the limits of any such municipality beyond low-water mark, without license or any order of court, as hereinafter provided, first having been obtained, such wharf or building or harbor structure shall be deemed a public or common nuisance, and such person or persons, corporation or corporations, shall be guilty of maintaining a nuisance, and, upon conviction, shall be sentenced to pay a fine of not more than five hundred dollars, or suffer an imprisonment of not more than six months, or either or both, according to the discretion of the court; and, where the said nuisance shall be in existence at the time of the conviction and sentence, it shall be lawful for the court, in its discretion, to direct either the defendant, or sheriff of the proper county, at the expense of the defendant, to abate the same; *provided*, that in all cases where any license or order has been or shall be given or made, permitting the erection, construction, extension, alteration or improvement of any wharf, building or harbor structure aforesaid, beyond low-water mark of the waterways, or any harbor structure within the limits of said municipality, the person or persons, corporation or corporations, to whom such license or order has been or shall be granted, shall, within six months from the date of said license or order, commence the work for which such license or order shall have been granted, and shall prosecute such work with due diligence to completion, otherwise said license or order shall become void; *provided, further*, that all licenses granted or orders made for the erection, construction, extension, alteration or improvement aforesaid, prior to the passage of this act, shall be and become void within six months after this act shall take effect, unless said work shall have been begun thereon and shall be prosecuted with due diligence to completion.

5. Whenever the owner or owners, or lessee or lessees, of any private wharf, pier or bulkhead within the limits of said municipality shall fail to keep and maintain the adjoining dock or docks cleaned and free

from obstructions, it shall be lawful for the said municipality, upon default for thirty days after the service of notice on such owner or owners, lessee or lessees, to clean or cause said dock or docks to be cleaned and freed from obstructions, and to apportion the expenses thereof among the owner or owners, lessee or lessees of the wharves, piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves, piers or bulkheads having the privilege of use of such dock or docks; such cost and expense shall be a lien upon the said property, to the same extent and shall be enforced and collected in the same manner as liens for assessments for local improvements herein provided for.

If not, authorities to clean, etc., at owner's expense.

Cost a lien.

6. Any person or persons, corporation or corporations, aggrieved by any decision of the governing body, either granting or refusing in whole or in part an application for a license to erect, construct, extend, alter or improve any wharf, pier or bulkhead, or other harbor structure, or as to any other matter or thing, may, within thirty days after the date of the said decision, present a petition to the Court of Common Pleas of the county in which said municipality is located, setting forth the facts of the case, the ground of the petitioner's complaint, and thereupon the said court, having first caused due notice of the presentation of the said petition and of the time fixed for the hearing thereof, to be given to all persons whom they may deem legally interested therein, shall proceed to hear and determine the subject-matter of the said petition; and shall make such order in the premises as it may think the said governing body should have made, and the said order shall be final and conclusive. The said court may adjourn said hearing from time to time, as justice may require. It shall be lawful for the said court to appoint a commissioner to take evidence to be used at the said hearing, and to make such order for the payment of the costs, by one or more of the parties to the proceedings, as justice may require.

Persons aggrieved may petition court.

Hearing.

Order of court.

Securing evidence.

7. The governing body of any municipality shall have power and authority, after an appropriation has

Municipality may acquire marsh land.

Reclamation.

Use of filled land.

May acquire land, wharf, pier, basin.

Minute plans and specifications, proposals.

Lease of property; term.

Leases sold.

been made of the money required therefor, to acquire by purchase or condemnation, in the name of and for the benefit of any such municipality, such unimproved marsh land or other land within or adjacent to any such municipality, as may be thought advisable and for the best interests of said municipality; and, after the appropriation of the money required therefor, by the governing body thereof, to reclaim, fill in and improve any such land or lands, and to construct thereon wharves, piers, docks, slips, basins, and other similar structures, and to lease or rent the same from time to time. The governing body shall also have power and authority, after the appropriation of the money required therefor, to acquire by purchase or condemnation, in the name of and for the benefit of any such municipality, any land, wharf, pier, bulkhead, dock, slip, basin or other similar structure, and also all lands, property rights, easements and privileges appurtenant thereto, within the limits of such municipality.

8. Before the erection, construction, extension, alteration or improvement of the wharves, piers, bulkheads, docks, slips, basins or harbor structures, in and upon or about the property owned by said municipality, the municipality shall prepare full and minute plans and specifications for such work, and advertise for proposals for doing such work under said plans and according to such specifications, in the same manner as is prescribed by law for obtaining proposals and letting contracts for public works in said municipality.

9. The governing body of any municipality shall have power to lease, for a period not to exceed ten years, under such covenants and conditions as it may prescribe, storage facilities, wharves, piers, bulkheads, docks, slips and basins belonging to said municipality. All leases of public storage facilities, wharves, piers, bulkheads, docks, slips and basins shall be exposed to public sale, and sold to the highest bidder at public sale and vendue or outcry, at such place and time as the governing body may designate; and if no bid satisfactory to the said governing body is made at such sale, the governing body may, in the manner aforesaid, again



expose the said lease or leases to public vendue or outcry; or, the governing body may lease the same for a term not exceeding one year, for such rent or rents as it may deem advisable. At least two weeks' public notice of such sale or sales shall be given by advertisements in two newspapers circulating in said municipality, at least twice a week for two successive weeks. The term of any such lease so sold shall begin within twelve months from the date of such sale. The governing body may, in its discretion, require of the lessee or lessees a bond, with satisfactory surety, for the faithful performance of the conditions and covenants of said lease. The governing body shall have the power to permit the temporary use of any wharf, pier, bulkhead, dock or basin belonging to said municipality for landing purposes or the use thereof by any department of the municipality, or by the State or United States.

Notice of sale of lease.

Period of lease.

Bond.

Temporary use of wharf and basin.

10. The income to said municipality from all wharfage and storage rates, crannage, dockage and other charges, and from all leases of land, storage structures, wharves, piers, bulkheads, docks, slips and basins, shall be paid into the municipal treasury, and shall be applied, first, to the care, maintenance, repair and protection of the said docks, wharves, piers and bulkheads and approaches, and other expenses incident to the control, supervision and operation thereof; second, to the payment of the interest on any outstanding bonds or other evidences of indebtedness; third, to the payment of the principal sum accruing on said bonds or other evidences of indebtedness; and fourth, to the general expenses of said municipality after the payment in full of said bonds or other evidences of indebtedness; *provided, however*, that any deficiency remaining for the payment of all necessary expenses hereunder, the principal and interest of said bonds or other evidences of indebtedness, after the application of the revenues aforesaid, shall be appropriated, levied and raised in said municipality by taxation from year to year.

Income paid into municipal treasury.

Use for repairs;

Interest;

Principal;

General expenses.

Proviso.

11. The governing body of any such municipality shall appropriate and raise annually the funds necessary

Funds for supervision and control.

to pay all costs and expenses incident to the supervision and control of wharves, docks and ferries.

Annual report  
as to property,  
conditions,  
income, ex-  
penditures,  
employees,  
leases, ton-  
nage.

12. The governing body shall require an annual report to be made and submitted to the mayor or other chief executive officer, and filed in the office of the clerk of such municipality, setting forth the amount of property owned, and the amount of property acquired during the year, and the price paid therefor; the condition of all storage facilities, wharves, piers, bulkheads, docks, slips and basins, and approaches thereto; the amount of money received from dockage, wharfage, storage, crantage and other services, itemized as to sources; an itemized account of the money expended for improvements and new construction, repairs, purchase of property, or for any other purpose; the number, and names and addresses of all employees, and their respective salaries; the terms and conditions of all leases of storage facilities, wharves, piers, bulkheads, docks, slips, basins and ferries; the time of expiration of said leases and the amount paid therefor; and the number of ships, vessels and boats arriving and departing, and their net and gross tonnage.

Full authority  
to construct,  
etc., docks.

Docking and  
shipping fa-  
cilities.

13. Whenever any municipality shall have acquired lands or rights in lands for the purpose of constructing and establishing docks and shipping facilities, it shall have full authority to construct wharves, piers, bulkheads and structures thereon and in the water adjacent thereto, and slips, basins, docks, wagon roads, railroads, bridges and other facilities for transportation and shipping, and shall have full authority to fill in said lands and make and construct channels in any navigable waters upon which said lands front, and may also acquire additional lands for the purpose of connecting said docks with the highways and railroads within the municipality, and other public docks, if any, of the said municipality; and may, upon the additional lands so acquired, construct waterways, railroads, highways and bridges, and all other appliances necessary or convenient for the purpose of affording proper and convenient access to said docks from the railroads and highways and other docks in said municipality, and upon lands

Access to  
docks.

adjacent to said waterways, railroads, railways and highways, to erect wharves, docks and other structures, proper or necessary for the furnishing of docking and shipping facilities.

## ARTICLE XXIX.

### MARKETS.

1. The governing body of any municipality may acquire and maintain market buildings and market facilities, or additional market buildings or market facilities, and may erect such building or buildings, and acquire such lands by purchase, gift or condemnation as in its judgment are suitable and necessary for market purposes. Market facilities.
- 2; The board or body having charge of such market or markets may charge and collect reasonable fees for the use thereof, and the net revenues so derived shall be devoted exclusively to the payment of interest which may accrue on any bonds issued to secure the said lands or to erect said buildings and for their redemption and payment when due. In the event that at any time the revenue derived from such market or markets is more than sufficient to provide for the redemption of such bonds at maturity, the excess revenues may be appropriated for any purpose that the board or body controlling the finances of the municipality may see fit. Rents.  
Use of revenue.  
If revenue in excess of needs.
3. In any municipality where no board or body is provided by statute for the management of a public market, the governing body shall provide by ordinance for the government and regulation of any public market that may be established hereunder. Regulation of market.

## ARTICLE XXX.

### ABATTOIR.

1. The governing body of every municipality shall have power and authority to acquire by purchase, gift or condemnation, or to hire and lease, such lands and buildings as may be needed for the purpose of establishing and operating a municipal abattoir; *provided*, Municipal Abattoir.  
Proviso.

that sufficient funds for the same shall have first been appropriated therefor.

Use and control.

2. Such governing body shall have power to make, publish, enforce, amend or repeal ordinances providing for the control and use of any abattoir so established, and the rental or other charges imposed upon persons and corporations using the same, and other regulations deemed necessary.

Rental.

Buildings.

3. Such governing body shall have power and authority to erect all buildings deemed necessary, and to alter and improve the same from time to time; also to furnish and equip such buildings.

If built outside, consent necessary.

4. No abattoir shall be established outside the corporate limits of the municipality so establishing the same, except with the consent of the governing body and the board of health of the municipality where it is proposed to establish the same.

#### ARTICLE XXXI.

##### COAL AND WOOD, AND ICE DEPOTS.

Municipal coal, wood and ice depots.

1. The governing body of every municipality shall have power and authority to acquire by purchase, gift or condemnation, or to hire and lease, such lands and buildings as may be needed for the purpose of establishment and operation of a municipal ice plant, or a municipal coal and wood depot, or both; *provided*, that such funds for the same shall have first been appropriated therefor.

Proviso.

Additional buildings.

2. In case any municipality shall acquire such lands and buildings for such purpose or purposes, such municipality shall have power to erect any other or additional buildings deemed necessary therefor. And such municipality shall have power to furnish and equip any buildings erected, leased or otherwise acquired, and to acquire any and all horses, wagons and other useful things to be used in such business in order to carry out the provisions hereof. Such municipality shall also have power to purchase such supplies as shall be necessary for the purpose of fully conducting the business of manufacturing and dealing in ice, or selling coal and wood, or both.

Equipment.

Vehicles.

Supplies.

3. The governing body shall have power to make, publish, enforce, amend or repeal ordinances providing for the establishment, control and regulation of either or both of such businesses; and may, by resolution, provide rules for the management of any such business, and establish the prices to be charged for commodities so dealt in, and any other necessary matters.

Ordinances dealing therewith.

Prices.

## ARTICLE XXXII.

## WATER SUPPLY.

1. Every municipality may provide and supply water, or an additional supply of water, for the public and private uses of such municipality and its inhabitants in any one or more of the following methods:

Methods for supplying water:

(a) Any municipality may, either singly or with one or more other municipalities, enter into a contract or contracts with the district board of water supply commissioners in the water supply district in which such municipality is situate, under and in accordance with the provisions of an act of the Legislature of the State of New Jersey entitled "An act authorizing the appointment of district boards of water supply commissioners in the water supply districts created by an act entitled 'An act to create two water supply districts in the State of New Jersey, to be known respectively as the North Jersey Water Supply District and the South Jersey Water Supply District,' and defining the powers, duties, terms of office and compensation of such commissioners; and providing for the obtaining, maintenance and operation of water supplies of new or additional water supplies by said commissioners as agents of and by contract with municipal and other corporations in their respective water districts, and further providing for the raising, collecting and expenditure of the moneys necessary therefor," approved March sixteenth, one thousand nine hundred and sixteen; or with any other State board or department authorized or empowered to make any such contract.

Contract with district board of water supply commissioners;

Or, with any other state board;

(b) Any municipality may enter into a contract or contracts from time to time, for a period not exceeding

Contract with other municipality or corporation;

fifteen years with any other municipality in this State having water works, or with any private corporation owning or controlling water works, to obtain a supply of water for public and private uses of such first-mentioned municipality and its inhabitants.

Purchase or  
lease water  
works;

(c) Any municipality may purchase or lease from any person or persons, corporation or corporations, owning water works supplying such municipality with water or adapted to furnish such supply, and any such person or persons, corporation or corporations, are hereby authorized to sell and convey or lease all or any part of the real estate, personal property and works, and all or any part of the corporate rights, powers, franchises and privileges of said person or persons, corporation or corporations, for such sum as may be mutually agreed upon by and between the said municipality and the said person or persons, corporation or corporations; and upon the due execution and delivery of the conveyance therefor, in case of purchase, the said real estate, personal property and works, and corporate rights, powers, franchises and privileges shall pass to and vest in the said municipality in as full and ample manner as the same now are or heretofore have been held and enjoyed by the said person or persons, corporation or corporations. Any such purchase may be made subject to outstanding bonds on the property purchased. In case of any disagreement between the said municipality and the said person or persons, corporation or corporations, as to the amount of compensation to be paid, said municipality may condemn said real estate, personal property and works, and all the corporate rights, powers, franchises and privileges of said person or persons, corporation or corporations.

Purchase  
subject to out-  
standing  
bonds;

Acquire neces-  
sary lands,  
water rights,  
flowage.

(d) Any municipality may purchase, condemn or otherwise acquire the necessary lands, and rights or interests in lands, and water rights and rights of flowage or diversion, within or without such municipality, for the purpose of a water supply, or an additional water supply, and for the connection thereof with such municipality and in case of highway or other public or quasi public structures, may require the same to be

abandoned as far as necessary for such purposes, and to be relaid, if necessary, by some other route or in some other location. Damages for the taking of such property, as well as the value of such property taken, shall be ascertained and paid for according to law. It may alter or change the grade of any highway or public street where necessary for its purpose. If it be necessary to change the location or gradient, or the appurtenances thereof, of any canal or railroad operated under a charter or certificate of incorporation, the corporation owning or operating the same shall be required to relocate or change the same so far as needful, and to acquire the property necessary for such change, and, if possible, to agree with the municipality upon the details thereof to be paid as part of the expenses of said work. If the corporation be unable to agree with the owner of any land, property or rights necessary to be acquired by it in order to make such change, the municipality shall, for the benefit of the corporation, acquire the same by condemnation or otherwise. The said municipality may construct, erect, maintain and operate dams, canals, aqueducts, reservoirs, basins, standpipes, buildings, purification plants, filtration plants, and all necessary pipe lines and other works; and may drill, dig, construct, operate and maintain artesian wells, when in its judgment the same may be needed for the purpose of such water supply; and may provide for the protection of the same from pollution by the construction of sewers, or by other means. Such municipality may completely furnish and equip any water works with all necessary and useful machinery and other appliances.

2. No municipality shall provide and supply water for the public and private uses of such municipality and its inhabitants until a majority of the legal voters voting at an election (which election shall be advertised, held and conducted in accordance with the general election laws of this State), shall vote so to do; *provided, however*, that this section shall not apply to municipalities which, at the time of the approval of this act, shall be providing and supplying water for the public and private uses of such municipality and its

Damages paid  
for.

If changes  
necessary.

Condemnation  
may be re-  
sorted to.

Dams, canals,  
aqueducts, etc.

Artesian wells.

Protection  
from sewage.

Machinery.

Referendum.

Proviso.

Petition for election.	inhabitants, nor to municipalities in which a majority of the legal voters voting at any election shall have theretofore voted so to do, nor to municipalities which shall have adopted any act authorizing such municipality to supply water for public and private uses. In case a petition signed by at least twenty per centum of the legal voters of such municipality shall be presented to the governing body requesting a referendum vote on the question, such governing body shall adopt a resolution notifying the proper officer that a vote is desired upon the question, or said governing body may adopt such resolution without any petition being presented as aforesaid. Such officer shall thereupon in the manner provided by law, place the same upon the ballots used at the next general election in such municipality in substantially the following form: "Shall the . . . . . of . . . . . (name of municipality) provide and supply water for the public and private uses of this municipality and its inhabitants?" "Yes." "No." If a majority of the legal voters voting at such election shall vote "Yes," the governing body thereof shall, by ordinance, determine which method or methods above stated shall be employed, and such governing body shall proceed in accordance with the provisions hereof to establish such supply of water.
Question on ballots.	
Determination.	
Lay water mains and pipes.	3. Every municipality providing for the supply of water in one or more of the methods aforesaid shall have power to lay and maintain pipes and mains in and under the streets, roads, avenues, alleys and public places of such municipality, and in, upon and through private property therein; and for the purpose of connecting its water works with the pipes and mains so laid or to be laid it shall have power to lay and maintain pipes and mains in and under any and all streets, roads, avenues, alleys and public places in any other municipality; <i>provided, however,</i> that no pipes or mains shall be laid in or under the public roads, streets or thoroughfares in any other municipality until the governing body thereof shall, by resolution, consent thereto, or until an order is made as hereinafter provided; in case the governing body of such other mu-
Connect with water works.	
Proviso.	
Consent of governing body.	



municipality shall refuse or neglect to give such consent, then it shall be lawful for the Chancellor, or any Vice-Chancellor of this State, upon petition of the municipality so applying for such consent, to make an order embodying and directing the terms upon which such water pipes and mains may be laid and relaid, and upon the making and filing of such order it shall be lawful for any such municipality to proceed with the laying or relaying of such water pipes or mains in or under any street, road, avenue, alley or public place named in such order.

On refusal  
chancellor to  
direct terms.

4. Every municipality shall have full power and authority to relay, repair, enlarge and maintain all pipes and mains laid as above provided; and shall also have full power and authority to erect and construct such fire hydrants as to the governing body may seem expedient.

Relay and  
enlarge pipes.

Hydrants.

5. It shall be lawful for every municipality, by its governing body, to make all necessary and proper contracts, in the manner hereinafter provided, and to elect or appoint any and all engineers, surveyors, officers, agents, employees, committeemen and boards that they may deem necessary or convenient for accomplishing the purposes of providing and supplying such municipality and its inhabitants with water, and to define their duties, regulate their compensation and provide for their removal.

Contracts.

Assistants.

6. Whenever any work to be performed or materials to be furnished may involve an expenditure of any sum exceeding five hundred dollars, the governing body of such municipality shall designate the time when they will meet at the usual place of meeting to receive proposals in writing for doing such work or furnishing such materials, as the case may be, and shall thereupon order the clerk or some other officer of said municipality to give notice thereof, by advertising the same in one or more newspapers circulating in said municipality, at least ten days before the time of such meeting, which advertisements shall specify the dimensions and quality of the work to be done or materials to be furnished; that all such proposals shall be publicly

Proposals for  
work or ma-  
terials.

Advertisement.

Bids opened  
publicly.

- opened in the presence of those who choose to attend, and said body shall be empowered to reject any or all of said proposals, and to advertise for new proposals, and the contract for such work and materials, when awarded, shall be awarded to the lowest responsible bidder; *provided*, that this section shall not be construed to apply to the compensation of specially retained advisers; *and provided, further*, that when the exigency of the service or an emergency threatening the continuity of the water supply shall by resolution passed by the affirmative vote of four-fifths of the members of the board or body having charge thereof be declared to exist, which resolution shall set forth the nature of such exigency or emergency, and stating the approximate cost of the work in excess of five hundred dollars necessary to be done to meet such exigency or emergency, then and in such case the necessity for advertising and receiving proposals provided for in this section shall not apply.
- Proviso.**
- Proviso.**
- Emergencies.**
- Contracts approved.**
7. All such contracts shall be in writing, and, if approved by the governing body, such approval shall be endorsed thereon, and then such contract so approved shall be executed by the mayor or other chief executive officer of said municipality, on behalf of and in the name of the said municipality, and under the common seal thereof; that no party shall be allowed to enter upon any work or furnish any material until such contract shall have been so executed; and every person or corporation who shall enter into any such contract with the said municipality, shall give satisfactory security for the faithful performance of such contract according to its terms, with surety to be approved by said governing body.
- Security for performance of contract.**
- Ordinances necessary to water system.**
8. The governing body of every municipality providing and supplying water for the public and private use of such municipality and its inhabitants, may make, enforce, amend and repeal all such ordinances, resolutions and regulations as said body may deem necessary and proper for the distribution, supply, use and protection of the said water and the safety, security and protection of the said buildings, machinery, canals, aqueducts, res-

ervoirs and other works and appurtenances thereto; for the installation and protection of meters, and for fixing and collecting the water rents or prices for water, and for imposing penalties in addition to cutting off the water for nonpayment thereof.

Meters.

Rents.

9. The governing body may enter into a contract with any person or persons, corporation or corporations, to supply such person or persons, corporation or corporations, with water for fire protection, manufacturing and irrigation and other special purposes, at rates and upon conditions to be designated by said governing body, and upon any such contract being entered into the person or persons, and corporation or corporations shall pay to the municipality the rate and all other charges stipulated therein, instead of the usual rates charged in the municipality; *provided*, that nothing herein contained shall alter or affect the lien hereinafter imposed for unpaid water rents or rates, nor change the rights of municipalities to collect unpaid water rates or rents in accordance with the provisions hereof.

May contract to supply water for fire, manufacturing, irrigation purposes.

Proviso.

10. All engineers, surveyors, officers, agents, employees or committeemen appointed or elected for the purposes herein provided are hereby authorized and empowered to enter upon any land or water for the purpose of making any and all surveys and examinations necessary, and at all reasonable hours to enter any dwelling or other place where the water so furnished is taken or used, and where unnecessary waste thereof is known or suspected, and examine and inquire into the cause thereof; and the said engineers, surveyors, officers, agents, employees or committeemen shall have full power to examine all service pipes, stopcocks and other apparatus connected with the water supply or drainage works, for the purpose of ascertaining whether the same are of the character and dimensions, and fixed in the manner by the ordinance or ordinances of the said municipality regulating the same; and if any person or persons shall refuse to permit such examination, or oppose or obstruct any such engineers, surveyors, officers, agents, employees or committeemen in the performance of such duties, he, she or they so offending shall have

Right of entry to make surveys and examinations.

Examine pipes, stopcocks, etc.

Penalty for refusing examination.

the supply of water shut off until the required examination is made and such alteration and repairs as may be found necessary shall be completed.

Owner liable  
for water  
rent, meter,  
connections,  
etc.

11. The owner of any house, tenement, building or lot shall each be liable for the payment of the price or rent as fixed by the said governing body for the use of water by such owner or by the occupier, and for the installation, purchase price, repair and testing of any water meter or water meters, water service, water services, connections, appliances or parts, and renewals thereof, heretofore or hereafter furnished or made by such municipality, or any department thereof, in or upon such house, tenement, building or lot, or connecting with such house, tenement, building or lot, and the interest and penalties charged; and such price or rent so fixed, and the other costs, expenses, interest and penalties aforesaid, shall be a lien upon said house, tenement, building or lot, until the same shall be paid and satisfied. Said governing body shall have authority to require payment in advance for the use or rent of water furnished by said municipality, and for any work to be done or materials to be furnished.

Water rent a  
lien.

Advance pay-  
ment may be  
required.

Water shut  
off until  
charges met.

Collection of  
unpaid water  
rents.

12. In case prompt payment of any water rent or rents, or for work done or materials furnished, is not made when the same shall become due, the water may be shut off from such houses, tenements, buildings, or lots, and shall not be again supplied thereto until such arrears with interest and penalties shall be fully paid. If any water rent or rents or other charges shall remain unpaid and in arrears for six months, the officer or board charged with the duty of the collection thereof shall file with the officer charged with the duty of the collection of tax arrears a statement showing such arrearages, and from the time of such filing the said water rent or rents or other charges shall be a lien upon the land and buildings to which said water was furnished, and in connection with which such charges were incurred to the same extent as taxes are a lien upon lands in said municipality, and shall be collected and enforced by the same officers and in the same manner as liens for taxes are enforced and collected.

13. In every municipality where the supply of water is under the control of municipal authorities, such municipality may grant to consumers a rebate or discount for the prompt payment of water rent or rates within a specified time after said water rent or rates shall become due. Such rebate or discount shall not exceed the sum of ten cents on each one dollar or fraction thereof due for water rent or rates, and no rebate or discount shall be granted unless such rents or rates be paid within thirty days after the same shall become due, which sum so granted as a rebate or discount shall be fixed and determined by resolution of said governing body.

Rebate for prompt payment of water rents.

Rate and time.

14. It shall be lawful for any municipality to increase the capacity of any water works, plant or plants which it owns, either by the construction and erection of new and additional buildings or otherwise, and the purchase of other or larger pumps, machinery and apparatus; and to extend any system of water distribution either within or without such municipality, by laying additional mains or lateral connections, or by relaying or enlarging existing mains and pipes, as the governing body of such municipality shall deem necessary; and to cause to be constructed an additional pipe line or main to connect any reservoir or water supply of such municipality, located outside the limits of such municipality, with any reservoir or supply pipes or mains within such municipality.

Increase capacity, erect additional buildings, extend pipes.

15. It shall be lawful for the governing body of any municipality owning or controlling water works, to enter into and make a contract or contracts with any municipality or municipalities in this State, to furnish a supply of water for such other municipalities and their inhabitants, for public and private uses, for the term of a year or years; *provided*, there shall first be obtained the approval of the Department of Conservation and Development, or other State board or department having jurisdiction of such matters, which approval and consent said commission or other board or departments may withhold or grant upon such terms as it may deem proper, but in case approval and consent

May contract to supply other municipalities.

Proviso.

Approval of  
contracts.

are withheld, the reason for such withholding shall be furnished by said department or board to the municipality applying therefor. All such contracts to be binding upon the municipality supplying water as aforesaid, shall be approved by the general legislative body of such municipality and the mayor or other chief executive officer thereof.

May supply  
dwellers out-  
side limits.

16. It shall and may be lawful for any municipality owning or controlling water works, to supply dwellers in other municipalities through which their mains may pass, with water; and for that purpose to lay its mains and water pipes in or under any street, road, avenue, alley or public place in such other municipality; *provided, nevertheless*, that such water shall be supplied to such dwellers in other municipalities upon the like or as favorable terms and conditions as water shall be furnished to dwellers within such municipality for the supplying of which with water such water works shall have been organized or established; *and provided further*, the consent of the municipal authorities of such other municipality to the supplying of its dwellers with water shall be first had and obtained.

Proviso.

Proviso.

Protection  
from pollution.

17. In municipalities having a public water supply derived beyond the municipal limits, it shall be lawful for the board or body having the control of such water supply to construct, maintain and operate, within the territory from which such water is derived or through which it flows, whenever it has become or may become necessary in order to protect such water from pollution, a system of drains and sewers for intercepting, taking off and disposing of all sewage or other polluting matter.

Approval by  
state board  
of health.

18. In no case shall the construction of such system of drains or sewers be commenced or entered upon unless or until the State Board of Health shall approve the construction of such system of drains or sewers as a sanitary measure, and shall define in a general way the limits of the district or territory within which or for which such system of drains or sewers shall be constructed.

19. Every system so constructed shall provide for the disposal of the sewage and other polluting matter taken up at a place and in a manner that shall render the same harmless; and before entering upon the construction of the same, the plans therefor shall have been presented to and approved by the State Board of Health.

Disposal of  
sewage.

20. Whenever a sewer system shall be constructed as herein provided, the board or body having charge of the water supply of such municipality shall have the power and authority at its own expense to connect such system with any outhouses or privy vaults along the line of the said sewer system or within the district indicated by the said State Board of Health, and for this purpose may enter upon private or public lands and make the necessary excavations and connections and install proper appliances, at the expense of such municipality, for the flushing of outhouses and privy vaults. In all cases the surface of the ground wherein such excavations are made shall be restored to its original condition as near as may be.

Connections  
with sewer  
system to  
protect water  
supply.

21. Whenever any building or buildings along the line of the said sewer system, or within the said district, may at the time of the construction of the said system have been provided with a private drainage sewer, the board or body having charge of the water supply under whose authority the sewer system hereby authorized is constructed, is hereby authorized to connect such private sewer with the sewer system hereby authorized, and in the construction of the said connection shall have the right to enter upon all such lands and make all necessary excavations and constructions.

Private sewer  
connected with  
sewer system.

22. If in any case any municipality or the owners of property located along the line of said sewer system or within the district in which and for which said sewer system is established, shall desire to have connections with the sewer system directly from any sewers or system of sewers which has been built or may be built by said municipality, or from any dwelling or place of abode, the board or body having charge of the construction of the system of sewers authorized by this act, is hereby authorized and empowered to enter into

Furnishing  
sewer facilities  
to those along  
system.

a contract or contracts with the governing body of such other municipality, or with such owner or owners of dwellings or places of abode, for the furnishing of such sewerage facilities at some reasonable price to be agreed upon and to be collected as in such contracts provided.

Flushing.

23. Whenever in the construction of the sewer system hereby authorized, it becomes necessary to furnish a water supply for the flushing of said system, the board or body under whose direction the work is constructed may enter into a contract for the furnishing of water for said flushing with any private water company or municipality engaged in supplying water, at some reasonable price to be agreed upon.

Arrangements for disposal of polluting matter when connections cannot be made with sewer.

24. Whenever there shall be within the district designated and defined as aforesaid, any outhouses, privy vaults or private drainage sewers so located that they cannot be connected with the sewer system hereby authorized and provided for, then it shall be lawful for the board or body having charge of the water supply of such municipality to enter upon such lands and at its own expense to make some sanitary arrangements for the disposal of the sewage and polluting matter therefrom; and it shall have the right from time to time to inspect the operation of such constructions, and to maintain, regulate and repair the same; and after such provisions shall have been made, it shall be the duty of the owner of such lands to use the facilities thus provided for the disposal of sewage and house drainage.

When sewer system installed must be used.

25. Whenever any system shall have been installed under the provisions of this act within the district defined, as herein provided, it shall be the duty of every person owning or occupying premises therein to use the facilities afforded for drainage and sewerage, and to cease using any other method for the disposal of house drainage, sewage or other polluting matter; and the State Board of Health is hereby authorized and directed to enforce the provisions of this act in this respect by appropriate proceedings at law or equity.

Acquiring land and rights for sewers to protect water supply.

26. For the purpose of procuring the necessary property and rights of way for the construction of the sewer system herein provided for, the board or body having



charge of the water supply of such municipality under whose direction such sewer system is being built, shall have the right to purchase or condemn lands and rights and interests in lands, to provide a right of way and necessary property for the construction of such sewer system; and it shall have the right to enter upon lands before such purchase or condemnation is made, for the purpose of making necessary surveys and examinations; and shall also have the right, under proper regulations by the governing body, to construct such sewers in or under, over, across or along any street, road, avenue, alley or public place.

27. In municipalities having a public water supply derived from sources beyond the municipal limits, whenever it has become or may become necessary to protect such water from pollution, it shall be lawful for the governing body of such municipality to pay to any municipality through which said water flows, a portion of the cost toward the construction of a system of sewers in any such municipality; *provided*, that the plans for said systems of sewers in any such municipality shall have first been approved by the State Board of Health.

When supply outside municipal limits, part cost of sewer to be borne.

Proviso;

28. Wherever a fire district has been laid off within any municipality of this State, the board of fire commissioners within such district shall have the power, on behalf of such district, to enter into and make a contract and agreement with any water company formed for the purpose of constructing, maintaining and operating water works in such municipalities, for the obtaining and furnishing of a supply of water to be used by and within such fire district for the purpose of extinguishing fires, which contract, when so made, shall be the lawful and valid contract of such fire district, and the sum or sums of money in said contract agreed to be paid in each year by such fire commissioners, shall be levied and assessed as a tax upon the real and personal estate within such fire district and liable to taxation for other municipal purposes, and the said real and personal property is hereby made liable to the assessment and collection of such tax.

Fire districts may contract for water.

Water plant  
may be used  
to generate  
electricity.

Land, plant,  
materials,  
secured.

General au-  
thority.

Certain au-  
thority not  
affected.

Municipal  
plants for  
generating gas,  
steam, elec-  
tricity, for  
lighting, heat-  
ing, or power.

29. It shall be lawful for the governing body or other board or body having charge of the public lighting and public water supply in any municipality, to utilize and use any property which is now or has formerly been or may hereafter be used by such municipality for the purpose of supplying water for public use, for the purpose, also, of generating electrical energy to supply such municipality with light, or for other public use; and for this purpose such body or board shall have power and authority to purchase or condemn lands or interests in lands or necessary water rights, and purchase materials, and construct, reconstruct, erect, maintain and use such property and works and such other and additional works, plants, property and machinery as may be required to develop the necessary power and produce and furnish the required light or power, and shall have power to sell such power or electrical energy.

30. It shall be lawful for the governing body of every municipality to adopt all ordinances and resolutions, enter into all agreements and contracts, and do any and all other acts and things necessary to provide water for the public and private uses of such municipality and its inhabitants in accordance with the provisions hereof.

31. Nothing in this act shall be construed to effect the power or authority of the Department of Conservation and Development, of the Department of Health of the State of New Jersey or of the North Jersey Water-Supply Commission or the South Jersey Water-Supply Commission.

### ARTICLE XXXIII.

#### LIGHT, HEAT OR POWER PLANTS.

1. Any municipality may purchase, condemn, take, have, hold and enjoy, in the name of said municipality, all such real or personal property, within or without the corporate limits of such municipality, as may be necessary for the manufacture, generation, accumulation, storage, transmission and distribution of gas, electricity, steam, or other product (or all), for supplying light, heat or power (or two or all) for its own public pur-

poses, and for the purpose of selling and supplying the same to its own inhabitants or to any other municipality (or both); and to purchase, condemn, take, construct, maintain and operate a plant or plants for producing and distributing (or either), gas, electricity, steam, or other product (or all), for supplying light, heat or power (or two or all), and all buildings, stations, machinery, apparatus, wires, poles, pipes, subways or conduits and appurtenances of every kind that may be necessary and useful for such purposes, with full power and authority to erect and maintain poles and string wires for the transmission of electric currents on any and all streets, avenues and highways of said municipality, or any other municipality; and to string electric wires or lay gas or steam pipes, or other heat, light or power conductors therein; *provided, however*, that one municipality shall not erect poles, string wires, lay pipes or other heat, light or power conductors in any other municipality until the governing body of such other municipality shall, by resolution, consent thereto, or until an order is made as hereinafter provided. In case the governing body of such other municipality shall refuse or neglect to give such consent, then it shall be lawful for the Chancellor, or any Vice-Chancellor of this State, upon petition of the municipality so applying for such consent, to make an order embodying and directing the terms on which such poles may be erected, wires strung, pipes or other heat, light or power conductors may be laid; and upon the making and filing of such order it shall be lawful for any such municipality to proceed with such work in such other municipality.

All necessary equipment.

Proviso.

If consent not given, chancellor to direct terms.

2. It may be lawful for the governing body of any municipality to elect or appoint any and all officers, agents, engineers, employees or committeemen that may be necessary to be employed in and about the maintenance and operation of any such light, heat or power plant, or works as aforesaid; to define their duties, regulate their compensation and provide for their removal; and said governing body of any municipality as aforesaid shall have power, and they are hereby authorized, to make, ordain and establish all such ordinances,

Officers, employees, etc.

Duties and pay.

Rules and regulations for sale, use, safety.

resolutions, rules and regulations as said body may deem necessary and proper for the introduction, transmission, distribution, use and supply of said light, heat or power, and for the safety, security and protection of the buildings, machinery, apparatus, wires, poles, pipes, subways and conduits, and other works and appurtenances used in connection therewith; and for fixing and collecting all rates, rents or charges for furnishing and supplying light, heat or power for private or commercial use in such municipality, and for imposing penalties for the nonpayment thereof; and such rates, rents or charges shall be and remain, until paid, municipal liens against the property and premises where such light, heat or power is furnished, and, if allowed to remain unpaid, shall draw interest at the rate of seven per centum per annum from and after the time when they shall become due, and shall, in addition to all other remedies, be collectable in the same mode and manner as arrearages of taxes are now or may hereafter be by law collected in such municipality.

Rates.

Unpaid rates a lien.

Interest on unpaid rates.

Referendum.

Petition, what to show.

3. No municipality shall acquire or construct any light, heat or power plant or works until a majority of the legal voters voting at an election (which election shall be advertised, held and conducted in accordance with the general laws of this State) shall vote so to do. In case a petition signed by at least twenty per centum of the legal voters of such municipality shall be presented to the governing body requesting a referendum vote upon the question of acquiring or constructing a light, heat or power plant or works, which petition shall also state for what purpose or purposes any plant or works, if acquired or constructed, shall be operated, i. e., whether for the purpose of supplying light, heat or power (or two or all of them), such governing body shall pass a resolution to the effect that a vote is required upon the acquiring or constructing a light, heat or power plant, as stated in said petition; or said governing body may pass such resolution without any petition being presented to it. A certified copy of such resolution shall be served forthwith upon the officer charged with the duty of preparing the ballots used at

the next general election in such municipality. Said officer shall, in the manner provided by law, place the question upon the ballots used at the next general election in such municipality in substantially the following form: "Shall the.....of.....(name the municipality) acquire or construct a plant or works for supplying.....(here specify whether light, heat or power, or two or all of them), for the public or private uses of this municipality and its inhabitants?" "Yes." "No." If a majority of the legal voters voting upon such question shall vote "Yes," the governing body shall proceed in accordance with the provisions hereof to acquire or construct the necessary plant or works for the furnishing of light, heat or power (or two or all of them) for the public and private uses of such municipality and its inhabitants; and when so acquired or constructed such plant or works shall be equipped, maintained and operated in accordance with the provisions hereof for the purpose or purposes aforesaid.

Question on  
ballot.

If adopted,  
procedure.

Operation and  
maintenance.

Notwithstanding any previous vote may have been had under the provisions hereof, it shall be lawful for any question authorized hereby to be submitted to the legal voters of any municipality at any general election whenever and as often as the governing body thereof shall deem it advisable.

Resubmission  
of questions.

4. Subject to the approval of the Board of Public Utility Commissioners, it shall be lawful for any municipality owning and operating a plant for supplying light, heat or power:

Municipality  
may:

(a) To enter into and make a contract with any adjoining municipality to supply electricity, gas, steam or other product for light, heat or power purposes for public or private use within said adjoining municipality for a period not exceeding ten years, at such rates and upon such terms as may be mutually agreed upon in said contract.

Supply light,  
heat, or power  
to adjoining  
municipality;

(b) To supply electricity, gas, steam or other product for light, heat or power purposes for public or private use to the inhabitants individually or to any private corporations within any adjoining municipality; *pro-*

To individuals  
or corpora-  
tions;

Proviso.

*vided, however, that the governing body of said adjoining municipality shall, by resolution, consent thereto.*

To counties;

(c) To supply electricity, gas, steam or other product for light, heat or power purposes to the board of chosen freeholders of any county of this State in which the municipality may be located, or any county adjoining the county in which the municipality may be located, at such rates and upon such terms as shall be agreed to between the municipality and the board of chosen freeholders of such county.

To enlarge  
plant and  
extend service.

(d) To make and maintain and operate additions and extensions to the plant and distributing system of the municipality, and to do such acts and things as may be necessary or convenient, whether within or without the corporate limits of the municipality, to carry out any of the powers conferred by this section.

Municipality  
supplying  
light, heat, or  
power outside  
its limits sub-  
ject to laws  
governing  
corporations.

5. No municipality shall enter into any contract or supply and electricity, gas, steam or other product to any adjoining municipality or the inhabitants thereof, or the board of chosen freeholders of any county, unless such municipality, as to its acts supplying electricity, gas, steam or other product beyond its corporate limits, complies with all laws, regulations or orders applicable to private corporations owning or operating any electric, gas, steam or other plant, or distributing or supplying electricity, gas, steam or other product, and unless such municipality pays taxes, including franchise licenses or taxes, the same as would be paid if such plant or equipment were owned by a private corporation, and unless the Board of Public Utility Commissioners shall, after notice and hearing, determine and certify that such adjoining municipality or such county is not adequately and properly served by an existing company.

Deemed public  
utility.

6. Every municipality in respect to its acts in supplying electricity, gas, steam or other product beyond the corporate limits of the municipality is hereby declared to be a public utility. The Board of Public Utility Commissioners of the State of New Jersey shall have the same supervision and regulation of, and jurisdiction and control over, such municipality in respect of its acts in supplying electricity, gas, steam or other

Supervision  
by public  
utility com-  
mission.

product beyond its corporate limits, and of and over the property, property rights, equipment, facilities and franchises used in supplying electricity, gas, steam or other product beyond its corporate limits as over other public utilities. Every such municipality shall be subject as to its service, accounts, property rights, equipment, franchises, extensions, reports, rates, issuance of bonds or other indebtedness maturing in more than one year from the date thereof, to the jurisdiction of said Board of Public Utility Commissioners to the same extent as other public utilities are subject.

Accounts, reports, bonds, etc.

7. It shall be lawful for any municipality to enter into a contract with any corporation supplying light, heat or power, for a supply of such light, heat or power (or any of them), for the public purposes of such municipality, for any period of time not exceeding five years. All such contracts to be valid shall be approved by the board or body having charge of the finances of such municipality, and the mayor, or other chief executive officer thereof.

Municipality may contract for light, heat, or power.

Approval of contracts.

## ARTICLE XXXIV.

### TRANSPORTATION.

1. Every municipality shall have power to engage in the business of transportation of passengers and goods and chattels within the municipality by whatever means it may decide, and may lay railroad tracks through, over and upon the public roads, streets and highways of said municipality, and through, over and upon such private property as may be necessary therefor, and may acquire such cars, motor busses, vehicles and other equipment necessary for carrying on said business; and may acquire land and erect buildings and equip the same with all necessary machinery for furnishing power for the operation of any cars or other vehicles, and for the storage thereof. Said municipality shall have power to erect and maintain poles and string wires for the transmission of electric current for power on any and all roads, streets and highways of the municipality, and may take all actions and do all things necessary for the

Municipality may carry goods and passengers.

Vehicle.

Buildings and equipment.

Electric transmission.

acquiring and carrying on the said business of transportation.

Officers, engineers, employees.

2. It shall be lawful for the governing body of the municipality to elect or appoint any and all officers, agents, engineers, employees or committeemen that may be necessary to be employed in and about the construction, maintenance and operation of any such system of transportation; to define their duties, regulate their compensation, and provide for their removal; and said governing body shall have power, and they are hereby authorized to make, ordain and establish all such ordinances, resolutions, rules and regulations as said body may deem necessary and proper for the conduct of said business of transportation and for fixing and collecting all fares, rates and charges for all service or services rendered thereby.

Duties and pay.

Rules and regulations.

Referendum.

Petition asking for submission of question.

What petition to show.

3. No municipality shall engage in the business of transportation until a majority of the legal voters thereof, voting at an election as hereinafter provided, shall vote so to do. Such election shall be called by the governing body, in case there is presented to it a petition signed by at least twenty per centum of the legal voters of the municipality voting at the last general election therein, requesting that there be presented to the legal voters of the municipality the question whether the municipality shall engage in the business of transportation as set forth in said petition. Such petition shall describe the system of transportation proposed to be operated by the municipality, giving the route thereof and the motive power. Upon the receipt of any such petition, the governing body shall, or upon its own initiative and without such petition, may proceed to pass an ordinance providing for submitting the question of the municipality engaging in the business of transportation as described in any such petition, or in case the action is upon the initiative of the governing body, in such manner as may be set forth in said ordinance, to the voters of the municipality. The clerk of the said governing body immediately after the said ordinance becomes effective, shall serve upon the officer charged with the duty of preparing the ballots for the



next general election in such municipality, a certified copy of such ordinance, who shall print such question upon such ballots in substantially the following form:

Question on  
ballot.

"Shall the.....of.....(name of the municipality) engage in the business of transportation as described in an ordinance of the.....(name or governing body) of the.....(name of the municipality) entitled.....(title of ordinance), passed.....(date of passage of ordinance)?  
"Yes." "No."

The election on such question shall be conducted in all respects and the result canvassed and certified in the manner provided by law. If a majority of the legal voters voting upon such question shall vote "Yes," the governing body shall have power and shall proceed to acquire or construct and to operate a system of transportation as described in the said ordinance.

Election, how  
conducted.

Result.

Notwithstanding any previous vote may have been had under the provisions hereof, it shall be lawful for any question authorized hereby to be submitted to the legal voters of any municipality at any election therein as often as the governing body thereof shall deem it advisable, or be required so to do by the filing of a petition of voters as provided herein.

Question may  
be resubmitted.

4. Any municipality engaging in the business of transportation may make a contract with any corporation or municipality furnishing power, for a supply of such power for use in such business of transportation, for a period not exceeding five years.

May contract  
for power.

5. Any municipality engaging in the business of transportation may extend any system of transportation. No extension of any route or routes of such system exceeding one-fourth in length of the one authorized by any referendum shall be made except by ordinance approved by the legal voters thereof, voting at a referendum election called and held in the same manner as herein above provided for an election on the question of engaging in the business of transportation.

Extension  
of system.

6. All contracts for the doing of any work or the supplying of any material or labor shall be let by the municipality in the manner provided by law for the letting of other contracts by the municipality.

Letting con-  
tracts.

May lease  
system.

7. The governing body may lease any system of transportation acquired by the municipality under this act, to any person or corporation who will contract to operate the same according to rules and time-tables established by the governing body, for any term not exceeding five years; *provided*, that a majority of the legal voters of the municipality shall vote so to do. The question of the making of any such lease shall be submitted to the said voters in the same manner as herein provided for submitting to them the question of engaging in the business of transportation.

Proviso.

Question of  
lease submittd  
to voters.

Joint service  
of transporta-  
tion.

8. Any municipality engaging in the business of transportation may contract with any other municipality or municipalities engaged in the same business to operate a joint service of the systems of transportation operated by them. All such contracts shall be effective when ratified by the governing bodies of the contracting municipalities.

## ARTICLE XXXV.

### SALE OF PUBLIC UTILITY PLANT.

Municipality  
may lease or  
sell any utility  
plant.

1. It shall be lawful for any municipality owning a sewer plant, water plant, heat, light or power plant, system of transportation, or other public utility plant or system, to lease or make sale of such plant or system, provided such lease or sale shall be authorized by the legal voters of such municipality.

Proviso.

If determined  
to sell or lease;  
resolution.

2. In case the governing body of any such municipality shall deem it advisable to lease or sell any such plant or system, it shall by resolution so determine, and in such resolution shall set forth a general description of the property, and such terms and conditions as it shall deem advisable, and shall advertise for bids for the rental or sale of the same. Such advertisement shall be published at least six times, once a week, in one or more newspapers circulating in such municipality, and at least once, not less than thirty days prior to the date advertised for the receipt of such bids, in a newspaper or magazine devoted wholly or partly to municipal matters. Each bid received must be accompanied by a certified check, or a sufficiently secured bond of the bidder,

Advertisement  
of sale or  
lease.

Bids.

to be approved by the governing body, guaranteeing the fulfillment of the contract in case his or its bid is accepted, and such bids shall be in all other respects in accordance with the provisions of the charter or other law relating thereto effective in such municipality. All advertisements for bids shall plainly state the amount of check or bond required as aforesaid, and that such plant or system will not be leased or sold, as the case may be, until the legal voters of the municipality shall authorize the same.

Approval of  
voters neces-  
sary.

3. Upon the receipt of such bids the governing body may adopt an ordinance providing for the lease or sale of the property, and such ordinance shall set forth the terms and conditions upon which the same shall be leased or sold; the name, address and amount of bid of the highest responsible bidder therefor; a general description of the property to be leased or sold, together with any other matters and things deemed necessary. The clerk of the governing body shall cause a certified copy of such ordinance to be served upon the officer charged with the duty of preparing election ballots, with a request that the question of the lease or sale as shown by the ordinance shall be placed upon the ballots used at the next succeeding general election in such municipality. Said officer shall have the question printed on the election ballots in substantially one of the following forms: "Shall the.....plant be sold for the sum of.....?" "Yes." "No." "Shall the.....plant be leased for a term of..... years for the sum of.....annual rental?" "Yes." "No."

Ordinance  
setting forth  
terms.

Referendum.

Question on  
ballot.

If a majority of the legal voters voting at such election shall vote "Yes," it shall be lawful for the governing body to accept the bid of the highest responsible bidder, and to carry out such lease or sale according to the authority conferred by said election.

Result.

4. All rentals received under any such lease shall be applied by the municipality in the same manner as provided by law for the application of income from such plant while operated by the municipality. The proceeds from any sale shall be used for the retirement of

Application  
of rentals.

Proceeds from  
sale.

bonds issued for the purposes of such plant, if any, or in case no such bonds are outstanding, then to the retirement of other bonds of the municipality, if any; and if no such bonds are outstanding, then such proceeds or any balance thereof may be used for the general purposes of the municipality.

## ARTICLE XXXVI.

## PUBLIC PARKS AND RECREATION.

Parks, playgrounds, beaches and resorts.

1. The governing body of every municipality shall have power to acquire, lay out, improve, embellish, maintain and make available to the public, such parks, open spaces, public squares, water fronts, beaches, playgrounds and other places for public resort and recreation, and boulevards leading thereto and connecting the same, as it may deem advisable, and to extend and enlarge the same, and for these purposes to take in fee or otherwise, by purchase, gift, devise or condemnation, any lands (whether improved or unimproved), rights, easements and interests in lands, within or without such municipality.

Rules and regulations concerning use.

2. The governing body of every municipality shall have power, by ordinance, to make rules and regulations for the government and use of all such parks, open spaces, public squares, water fronts, beaches, playgrounds, boulevards and other places, and to enforce the same; such rules and regulations shall be plainly printed and posted within such parks and upon the other public places and boulevards where the same are effective.

Pavilions, and other buildings.

3. The said governing body shall have power to erect pavilions, stands, shelters and all other buildings or structures suitable for such parks, open spaces, public squares, water fronts, beaches, playgrounds and other places for public resort and recreation, and boulevards, and to equip the same with all necessary apparatus.

Music.

4. The governing body of every municipality shall have power to provide music in the parks and other public places.

5. Any municipality may erect, lease or otherwise acquire one or more docks, wharves, or piers, to be used in whole or in part for recreation purposes.

Recreation  
piers.

6. A public library, art gallery or museum, may be constructed or maintained in any public park or square, provided that the board in control of such park or square designate the part of such park or square upon which any such building is to be constructed or maintained, but the said library, art gallery or museum shall be managed and controlled by the body in such municipality charged with the care and maintenance thereof.

Library, art  
gallery, mu-  
seum.

7. Wherever any highway, railroad or street railway runs through or across any lands in this State used, laid out or acquired for public park purposes, and the board or body having charge or control of such park lands, shall desire any change to be made in the course or location of such highway, railroad or street railway, it shall be lawful for such board or body, and authority is hereby conferred upon it, to agree with the board or body having charge and control of such highway, or the company or companies owning such railroad or street railway, to change the location thereof, and to agree as to the payment of any of the cost of such change, and to grant and convey to such board, body or company a right of way for such changed location.

Streets or  
railways  
through parks  
may be re-  
located.

Payment of  
cost.

8. Upon the making of such agreement and the conveyance of said lands for rights of way, the said board or body having the charge and control of any such highway, and the company or companies owning such railroad or street railway, shall have the same power, right and authority to locate, lay out, erect, build, construct, operate and maintain such road or highway, or railroad or street railway, in the changed location as it had in the former, with the right to connect and operate the same with the remaining portion of such road or highway, railroad or street railway, in accordance with the plan agreed upon with said board or body having control of such park lands, without further or other action.

Agreement  
and convey-  
ance to au-  
thorize street  
or railway  
without fur-  
ther action

9. The board or body having charge of any such highway, or the company or companies owning any such railroad or street railway so as aforesaid changed,

Conveyance  
of lands and  
rights to mu-  
nicipality for  
park purposes.

shall in like manner grant and convey or release to the board or body having charge of such park lands, all its rights and interests in such former location of said highway, railroad or street railway, whereupon all of the rights, privileges, powers, obligations and limitations then existing against said highway, railroad or street railway, shall be transferred to and imposed upon the same in its changed location.

Ordinance  
regulating  
railways in or  
through parks.

10. No steam or other railroad or railway shall be laid out on, or maintained or operated on, any portion of the parks, open spaces, public squares, water fronts, playgrounds and other places for public resort and recreation, and boulevards leading thereto and connecting the same, except at such places and in such manner as the governing body shall by ordinance approve.

Entertain-  
ments to pro-  
vide funds to  
improve and  
care for recrea-  
tion places.

11. The body in charge of any playground or recreation place owned by any municipality, in order to provide the funds, in whole or in part, necessary to improve, maintain and police the playgrounds or recreation places under its control, shall have the power and authority to arrange and provide for the giving of outdoor exhibitions, concerts, games and contests, and the power and authority to use and employ the said playgrounds or recreation places for the purpose of giving thereon outdoor exhibitions, concerts, games and contests; and the said board shall have the power and authority to charge and collect a reasonable admission fee for each person entering such playground or recreation place, during the time or times when the same is being used or employed for such purpose; *provided, however,* that the said board shall not use any such playground or recreation place for such purpose for a greater period than eight hours in any week, nor on more than two days in any one week; and when any such playground or recreation place is used for such purpose, no admission fee shall be charged or collected from children under twelve years of age.

Proviso.

Lakes, ponds,  
etc., for recrea-  
tion.

12. The governing body of every municipality shall have power by lease, purchase, gift, or condemnation to acquire lakes, ponds, streams, rights of flowage and

other rights, and to erect dams and other means of impounding water so as to create ponds or lakes, and to convert the same into places of public resort and recreation. Every such governing body may acquire the banks or shores of streams, lakes or other waters, for the purpose of beautifying the same and converting such waters into places of public resort and recreation. Such governing body may enter into contracts with any other municipality for the improvement of the banks or shores of any such waters and for converting the same into places of public resort and recreation. Such contracts shall specify the portion of the work to be done by each municipality, or the proportion of the cost to be paid for by each, and all other necessary provisions for the carrying out of such work.

Beautify  
banks.

Joint municipal  
improvement of banks  
and shores.

13. The governing body of every municipality may lease, rent or hire, any part of any public park, or place of public resort, owned by it and not presently needed for the purpose for which it was acquired, or any building, or portion thereof thereon not so needed, for any period not exceeding two years. The governing body may let out to any person or persons, corporation or corporations, any privileges in any public park or place of public resort, upon such terms and conditions as it may prescribe; and upon the violation of the terms upon which any lease or privilege is granted, the same shall become void, and said governing body shall have power to so declare, and may re-enter any place so leased and prevent the exercise of any privilege so forfeited; any such letting shall be to the highest responsible bidder therefor. The letting thereof shall be advertised in some newspaper circulating in the municipality, at least ten days prior to the receipt of bids.

Part of park  
or building  
may be rented.

Let privileges.

Letting ad-  
vertised.

## ARTICLE XXXVII.

### MISCELLANEOUS.

1. Where, by any provision of this act, a municipality is empowered to acquire lands or to erect or construct any building for any purpose, such municipality shall have power to lease or hire any lands or building or buildings suitable for such purpose.

May lease or  
hire building.

May contract  
for service.

2. Where, under any provision of this act, any municipality is authorized to render any service to the public, such municipality, in lieu of providing and maintaining the equipment necessary for rendering such service at its own expense, may contract with any person or corporation to render such service on behalf of the municipality, but under its control and direction. No such contract shall be let until specifications showing in detail the service to be rendered shall be prepared and rules and regulations governing the same shall be adopted. Such contracts shall be let, after due advertisement, to the lowest responsible bidder, who shall give ample security for the proper performance of such contract.

Separation of  
grades at rail-  
road crossings.

3. Every municipality shall have power to enter into and perform contracts with any railroad company for the separation of grades where any railroad crosses any street or highway at grade.

Official news-  
paper.

4. The governing body of every municipality shall have power to designate an official newspaper or newspapers in which advertisements and notices required by law to be published shall be published.

Auditorium  
and museum.

5. Every municipality shall have power to hire, erect, maintain and equip such building or buildings as may be suitable for use as a museum of arts and sciences, or for public exhibitions, lectures and assemblages, and may conduct such museums, lectures and public exhibitions, and may also allow the use of such buildings for public assemblages with or without charge being made therefor.

Lectures.

Exhibitions.

6. Every municipality shall have power to prepare, maintain and display any exhibition of the products and industries of the municipality, or any poultry or agricultural exhibition, or may contribute funds towards the maintenance or conduct thereof.

Statues and  
monuments.

7. Every municipality shall have power to construct and maintain such statues, monuments or other memorials upon the public streets or places of the municipality as the governing body may deem suitable for the commemoration of any person or persons or event. Every municipality may accept any such statue, monu-



ment or memorial presented to it, and thereafter maintain the same, or may contribute any sum toward the construction or maintenance thereof.

8. Every municipality shall have power to provide for the celebration at public expense of any public event, anniversary or holiday. Public observances.

9. Every municipality may appropriate funds for the purpose of advertising the advantages of the municipality. Advertise its advantages.

10. Whenever by this act the governing body of any municipality is given power to order and direct the owner of any lands or real estate to make any improvement or to do any work upon such land or real estate, or any street upon which the same abuts, and such owner neglects or refuses to make such improvement or to do any such work, the municipality may, after notice to such owner of its intention so to do, cause such improvement to be made or work done, and have an action at law for the cost thereof. The remedy by action at law against such owner shall be in addition to any other remedy prescribed by this act. The commencement of any such action shall not make void any lien the municipality may acquire under any provision of this act, nor shall such action prevent the imposition of any penalty provided for the violation of any ordinance of such municipality. On refusal of owner to make improvement, municipality to do it.

11. It shall be the duty of the mayor or other chief executive officer, and the clerk or other chief clerical officer of every municipality hereafter elected, immediately upon taking office to file with the Secretary of State, at Trenton, copies of their personal signatures and impression of the seal of the municipality, and a statement showing their terms of office and dates of expiration of the same. Mayor and clerk to file signatures and seal with secretary of state.

The Secretary of State shall cause to be printed the necessary blank forms for the making of said returns, and shall in the first week in January of each year forward the same to the officers mentioned, and upon their return the same shall be filed as a matter of record. Blank forms.

12. Two or more municipalities may join together to do any act, maintain any department or to render Joint municipal action.

any service which one municipality is empowered to do, maintain or render.

Contract as  
to cost and  
details.

Before so joining the said municipalities shall cause to be drawn up a written contract setting forth the proportion of the cost of the doing of such act, maintaining of such department or rendering of such service each shall assume, and specifying all the details of the management thereof, and such other matters as may be deemed necessary for insertion therein; any such contract may be amended from time to time by the consent of the contracting municipalities; upon any such contract being approved by the governing bodies of each of said municipalities it shall be signed by the chief executive officer of each and sealed with the municipal seals.

Tenants in  
common.

For the purpose of carrying into effect any such contract, municipalities may acquire lands as tenants in common by purchase or by condemnation, and may erect buildings thereon and equip the same, and may acquire and hold any personal property in common, and may appoint such officers and employees as may be necessary for the joint enterprise, and may jointly enter into any contract which a single municipality is authorized to enter into under this act.

Poorhouse.

13. The governing body of every municipality shall have power to erect, extend, alter and improve such building or buildings as may be necessary for the housing of the poor of the municipality, and to acquire by purchase, gift or condemnation the necessary land for that purpose.

General care  
of health.

14. Every municipality may establish laboratories and dispensaries; may employ visiting nurses, supply medicines and medical services to the indigent sick, and may provide fresh-air camps, excursions and other means of recreation for the needy children of the municipality.

Needy chil-  
dren.

Public baths,  
comfort sta-  
tions, watering  
troughs, etc.

15. Every municipality shall have power to provide, maintain and operate public baths, employment agencies, public comfort stations, public warehouses, public slaughterhouses, public watering troughs, and may maintain and operate any other plant or facility

for rendering or supplying any service or commodity whatsoever to such municipality or the inhabitants thereof.

16. Whenever any municipality shall, either alone or jointly with one or more other municipalities, acquire, construct or engage or is now engaged in the business of operating any light, heat or power plant or works or engage in the business of transportation, it shall be the duty of such municipality, as to such business and the property and plant used by it, to (a) keep its books, records and accounts, (b) comply with all rules, regulations and recommendations as to reasonable standards and service, and (c) make reports to the Board of Public Utility Commissioners, in the manner and form and to the same extent as said board shall from time to time require of other public utilities engaged in similar businesses, and the said Board of Public Utility Commissioners shall have power and authority to enforce the provisions of this paragraph.

Records pertaining to utilities.

Report to public utility commission.

17. Every municipality shall have power to raise by taxation, in the method prescribed by law for raising money by taxation therein, all necessary money to pay for any improvement or property which it is hereby authorized to make or acquire, and to pay the current expenses of maintaining the same, and for the execution and performance of any power or authority hereby given to such municipality, or any governing body thereof, and to pay the principal of and interest upon all obligations and debts of said municipality.

Power of taxation.

18. Whenever any officer of any municipality shall cease to be a bona fide resident therein, or whenever the resignation of any such officer shall have been accepted by the proper authority, a vacancy in the office held by any such person shall immediately exist, and such person shall not exercise any of the duties of the office theretofore held by him; and such municipality, by and through its proper authority, shall immediately proceed to fill such vacancy in the manner and form prescribed by law for the filling of any such vacancy; *provided, however*, that nothing herein contained shall be so construed as to prevent a non-resident of any municipality

Vacancies.

Proviso.

from holding office as counsel, attorney or engineer of such municipality, nor shall such offices be deemed vacant by reason of the removal or non-residence of any such counsel or attorney.

When no one  
to perform  
duties, tem-  
porary appoint-  
ment made.

19. Wherever duties are imposed by law upon any officer or employee of a municipality, and no person is now by law authorized to perform such duties when such officer or employee is temporarily absent or disabled, it shall be lawful for the officer or board having the authority to fill any vacancy in any such office to designate some person to act in lieu and place of any such officer or employee during his temporary absence or disability; in case the officer or employee so temporarily absent or disabled is one who was elected by the voters of the municipality, the person to act in his place and stead shall be designated by the mayor or other chief executive officer of the municipality. The acts of any person so designated shall in all cases be legal and binding as if done and performed by the officer or employee for whom such designated person is acting.

Women eligible  
to any position.

20. Women may be appointed to any office or position, or be employed in any department or bureau of any municipality.

Off-setting  
taxes, etc.,  
against judg-  
ment.

21. Whenever any judgment shall be or shall have been recovered in any court of competent jurisdiction in this State, against any municipality by any person or corporation who is or shall have been, at the time of the recovery of such judgment, indebted to said municipality for taxes, assessments, water rates, or other indebtedness of a public nature, or who or which shall become so indebted before the satisfaction of such judgment, it shall be lawful for such municipality to settle and extinguish such judgment, and any execution issued thereon, by offsetting and crediting the amount thereof upon and against any overdue taxes, assessments, water rates, or other indebtedness of a public nature due from such judgment creditor.

Special meet-  
ings of gov-  
erning body.

22. It shall be lawful for the presiding officer of any governing body in any municipality to call special meetings of such body when the public good shall, in his opinion, render it necessary or expedient; and upon the

written request of one-fourth of the total membership of any such governing body, addressed to its presiding officer, or to the municipal clerk, said presiding officer shall forthwith call such special meeting, or in his absence, said special meeting shall be called by the clerk.

23. No member of any governing body of any municipality shall, during the term for which he shall have been elected or appointed such member; be eligible for election or appointment to any office required to be filled by any such governing body of which he is such member; *provided, however*, that this restriction shall not apply to any office required by law to be filled by a member of such governing body.

Eligibility to office.

Proviso.

24. Any ordinance authorizing any improvement or the incurring of any indebtedness, excepting for current expenses, shall become operative ten days after the publication thereof after its final passage, unless within said ten days a protest or protests against making such improvement or the incurring of such indebtedness shall be filed in the office of the clerk of such municipality signed by taxpayers representing ten per centum in amount of the assessed valuation of such municipality, whose names appear on the last preceding assessment roll thereof, in which case such ordinance shall remain inoperative until a proposition for the ratification thereof shall be adopted at an election to be held for that purpose by a majority of the qualified voters of such municipality voting on such proposition. The certificate of the clerk of the municipality filed in his office as to the filing or sufficiency of any protest or protests shall be conclusive for the purposes of this section. At least ten days before any such election, notice thereof shall be published once in a newspaper published in such municipality, or if no newspaper is published therein, then in a newspaper published in the county and circulating in such municipality.

When ordinance effective.

Protest may be filed.

Ordinance submitted to voters.

Any proposition submitted to the voters of any municipality under the provisions of this act shall be voted upon at the next general election held in the municipality at least thirty days after the filing of the protest or protests herein provided for, unless the governing

When election held.

Special election.

Question on ballots.

Result.

Action to test validity.

Proviso.

Municipal boards and officers to continue.

Terms of employees not affected.

Civil service.

body thereof shall call a special election therefor. Any such special election shall be conducted and canvassed by the same officers and in the same manner as near as may be as prescribed by the laws regulating general elections. The proposition shall be stated on the ballots in substantially the following form: "Shall an ordinance of the..... (name of governing body) of the..... of..... (name of municipality) entitled..... (title or ordinance and date of passage) be ratified"? "Yes." "No."

The governing body of such municipality shall adopt a resolution declaring the result of said election, which resolution shall be published once in the manner provided above for the notice of election. No action, suit or proceeding to contest the validity of such election shall be instituted after the expiration of twenty days from the date of publication of the resolution declaring the result thereof; *provided, however*, that this section shall not apply where the legal voters of any municipality shall have authorized the making of any improvement or the establishment of any public utility by a referendum vote thereon.

25. All municipalities in this State shall have the same officers, boards and bodies after the passage of this act as heretofore, and nothing herein contained shall be held to change in any manner the officary of any municipality, nor to alter the structure of the government now existing therein. Nothing herein contained shall be construed to affect in any way the term of office of any officer, policeman, fireman or employee of any municipality, nor shall any provision herein make void or change any provision of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the acts supplementary thereto and amendatory thereof, nor any of the provisions of any other tenure of office act.

26. In case, for any reason, any section or provision of this act shall be questioned in any court, and shall be held to be unconstitutional or invalid, the same shall not affect any section or provision of this act except so far as the section or portion so declared unconstitutional or invalid shall be inseparable from the remainder or any portion thereof. And in construing the provisions of this act, all courts shall construe the same most favorably to municipalities, it being the intention hereof to give all municipalities to which this act applies the fullest and most complete powers possible over the internal affairs of such municipalities for local self-government.

As to constitutionality of act or any section.

Act how construed.

Local self-government intended.

Approved March 27, 1917.

## CHAPTER 153.

An Act defining floating indebtedness and authorizing and directing the funding of floating and other indebtedness in any municipality and county in this State.

Preamble.

WHEREAS, There exists in some municipalities and in some counties in the State indebtedness which has been incurred from time to time, which has not corresponding, existing and adequate assets for its support, or for which there do not exist appropriate means of payment;

Preamble.

AND WHEREAS, Such indebtedness will prove a handicap to the proper administration of the financial affairs of such municipalities or counties, and in order to provide a proper and lawful means for funding such indebtedness; therefore,

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Definitions.

1. In this act the term "Municipality" shall mean any city, town, township, borough, village, or any municipality governed by an improvement commission in the

State, and the term "County" shall mean counties of all classes, and the term "Governing Body" shall mean the board or body having charge and control of the finances of a municipality or county.

Amount of floating indebtedness to be ascertained.

Tabulation.

Municipal conversion of evidences of indebtedness to.

"Tax revenue notes of 1916;"

"Tax revenue notes of 1915;"

2. For the purpose of ascertaining the amount of floating indebtedness, if any, in any municipality, the governing body of such municipality shall, on the first day of July, one thousand nine hundred and seventeen, cause a tabulation to be made of all the outstanding indebtedness which has been incurred in anticipation of the receipt of revenues applicable for current expenses up to the thirty-first day of December, one thousand nine hundred and sixteen, and including the tax revenues which became delinquent on the twentieth day of December, one thousand nine hundred and sixteen, and which has been provided for by the issuance and negotiation of instruments of any character that have become an obligation of the municipality, and fall due within two years from July first, one thousand nine hundred and seventeen, and for the payment of which no other provision has been made, and shall distribute and convert said evidences of indebtedness into the following instruments:

(a) "Tax Revenue Notes of 1916" equal to the amount of the face value of the tax revenues which became delinquent to said municipality on December twentieth, one thousand nine hundred and sixteen (including State railroad and canal taxes), and which remain unpaid on June thirtieth, one thousand nine hundred and seventeen; said notes, with their renewals, shall run not longer than the thirty-first day of December, one thousand nine hundred and nineteen, and all moneys received in payment of tax revenues which became delinquent on December twentieth, one thousand nine hundred and sixteen (excluding interest and costs thereon, unless the governing body shall otherwise determine), shall be applied to the payment of said notes and for no other purpose whatsoever, until said notes shall have been paid.

(b) "Tax Revenue Notes of 1915" equal to the amount of the face value of the tax revenues which



became delinquent to said municipality on December twentieth, one thousand nine hundred and fifteen (including State railroad and canal taxes), and which remain unpaid on June thirtieth, one thousand nine hundred and seventeen; said notes, with their renewals, shall run not longer than the thirty-first day of December, one thousand nine hundred and eighteen, and all moneys received in payment of tax revenues which became delinquent on December twentieth, one thousand nine hundred and fifteen (excluding interest and costs thereon, unless the governing body shall otherwise determine), shall be applied to the payment of said notes, and for no other purpose whatsoever, until said notes shall have been paid.

(c) "Tax Revenue Notes of 1914" equal to the amount of the face value of the tax revenues which became delinquent to said municipality on December twentieth, one thousand nine hundred and fourteen (including State railroad and canal taxes), and which remain unpaid on June thirtieth, one thousand nine hundred and seventeen; said notes, with their renewals, shall run not longer than the thirty-first day of December, one thousand nine hundred and seventeen, and all moneys received in payment of tax revenues which became delinquent on December twentieth, one thousand nine hundred and fourteen (excluding interest and costs thereon unless the governing body shall otherwise determine), shall be applied to the payment of said notes, and for no other purpose whatsoever, until said notes shall have been paid. *Provided, however*, if there shall be any instruments which cannot be converted on July first, one thousand nine hundred and seventeen, as herein directed, arrangements shall be made for the conversion of such instruments when same shall become due, and their renewals shall be evidenced by instruments as herein directed; *provided, further*, that there shall be at no time outstanding tax revenue notes of any year in excess of the amount of the face value of the tax revenues of that year which are in arrears, together with the amount of receipts from such tax revenues in

"Tax revenue notes of 1914."

Proviso.

Proviso.

hand, applicable to the discharge of such notes at maturity.

Tax title notes  
to meet any  
remaining in-  
debtedness.

3. If, after the distribution and conversion as directed in section two, there shall remain any instruments of indebtedness falling due within two years from July first, one thousand nine hundred and seventeen, for the payment of which no other provision has been made, and which have been issued in anticipation of the receipt of revenues applicable for current expenditures for any year and prior to the thirty-first day of December, one thousand nine hundred and sixteen, and including the tax revenues which became delinquent on the twentieth day of December, one thousand nine hundred and sixteen, which cannot be so distributed and converted as herein directed, and there shall be any tax titles which are held in the name of said municipality, then an amount, equal to the amount of the lien value represented thereby, including interest and costs, accrued to July first, one thousand nine hundred and seventeen, may be deducted from the balance of indebtedness and tax title notes issued therefor. Such tax title notes shall be known and called by that name, and may run until the lien of the tax title is discharged, and shall be retired by the application to that purpose of so much of the amount received in the discharge of the lien or liens as is equal to the lien value of the tax title at the time of issue of the tax title note representing the same. The amount of all tax title notes outstanding shall at no time be greater than the lien value of the tax titles standing in the name of the municipality issuing such notes. *Provided, however,* if any portion of the taxes upon which said tax revenue notes were issued shall be in litigation, then an amount equal to the face value of said taxes may be excepted, and carried by said tax revenue notes until said litigation shall have been concluded, and all or any portion of the said taxes are paid; if, however, the court or other lawful authority shall remit all or any portion of the taxes so in litigation, then the said tax revenue notes in an amount equal to the taxes so remitted shall be paid in not less than five equal annual installments by the inclusion of an annual

Lien.

Amount.

Proviso.

If court  
remit taxes.

installment in the tax levy of each succeeding year until the said tax revenue notes shall have been paid; or if, notwithstanding the result of such litigation be in favor of the municipality, such taxes shall nevertheless prove to be uncollectable, and the governing body shall, by proper resolution, so declare; then the tax revenue notes to the amount of the taxes so declared to be uncollectable, shall be paid in not less than five equal annual installments, by the inclusion of an annual installment in the tax levy of each succeeding year until the said notes shall have been paid. If, after such further distribution and conversion to the tax title notes, there shall still remain any such instruments of indebtedness falling due within two years from July first, one thousand nine hundred and seventeen, for the payment of which no other provision has been made, and which have been issued in anticipation of the receipt of revenues as hereinbefore set forth, such balance shall be known as "floating indebtedness."

If taxes not collectable, amount of tax revenue notes included in tax levy.

"Floating indebtedness."

4. For the purpose of ascertaining a further additional amount of floating indebtedness in any municipality, the governing body of said municipality shall cause a tabulation to be made of all obligations which have been issued for temporarily financing that part of the cost (including damages payable by the municipality) of an improvement which has been assessed against the property directly benefited, together with any moneys in hand, which shall be properly applicable to the payment of such obligations, and if by reason of such tabulation there shall prove to be an excess of obligations outstanding over and above the assessments due or to become due, plus the moneys in hand for the payment of such obligations, then such excess shall be known as "floating indebtedness"; *providing, however*, there shall not be computed in such floating indebtedness the amount of any such obligations issued on account of any such improvement, which is in the course of construction, and the assessments for which have not been confirmed at the time the tabulation is made.

Tabulation of temporary obligations.

Excess known as "floating indebtedness."

Proviso.

5. In each county of the State, the governing body of said county shall, on the first day of July, one thousand

County distribution and conversion of evidences of indebtedness to.

nine hundred and seventeen, cause all outstanding indebtedness which may have been incurred in anticipation of the receipt of tax revenues which became delinquent upon the twenty-second day of December, one thousand, nine hundred and sixteen, and which is evidenced by instruments falling due within two years from July first, one thousand nine hundred and seventeen, for the payment of which no other provision has been made, to be distributed and converted into the following instruments:

"Tax revenue notes of 1916;"

(a) "Tax Revenue Notes of 1916" equal to the amount of the face value of the tax revenues which became delinquent to said county on December twenty-second, one thousand nine hundred and sixteen, and which remain unpaid on June thirtieth, one thousand nine hundred and seventeen; said notes, with their renewals, shall run not longer than the thirty-first day of December, one thousand nine hundred and nineteen, and all moneys received in payment of the tax revenues which became delinquent on December twenty-second, one thousand nine hundred and sixteen (excluding interest and costs thereon, unless the governing body shall otherwise determine), shall be applied to the payment of said notes, and for no other purpose whatsoever, until said notes shall have been paid.

"Tax revenue notes of 1915;"

(b) "Tax Revenue Notes of 1915," equal to the amount of the face value of the tax revenues which became delinquent to said county on December twenty-second, one thousand nine hundred and fifteen, and which remain unpaid on June thirtieth, one thousand nine hundred and seventeen; said notes, with their renewals, shall run not longer than the thirty-first day of December, one thousand nine hundred and eighteen, and all moneys received in payment of the tax revenues which became delinquent on December twenty-second, one thousand nine hundred and fifteen (excluding interest and costs thereon, unless the governing body shall otherwise determine), shall be applied to the payment of said notes, and for no other purpose whatsoever, until said notes shall have been paid.

(c) "Tax Revenue Notes of 1914" equal to the amount of the face value of the tax revenues which became delinquent to said county on December twenty-second, one thousand nine hundred and fourteen, and which remain unpaid on June thirtieth, one thousand nine hundred and seventeen; said notes, with their renewals, shall run not longer than the thirty-first day of December, one thousand nine hundred and seventeen, and all moneys received in payment of the tax revenues which became delinquent on December twenty-second, one thousand nine hundred and fourteen (excluding interest and costs thereon, unless the governing body shall otherwise determine), shall be applied to the payment of said notes, and for no other purpose whatsoever, until said notes shall have been paid; *provided, however,* if there are any such instruments of indebtedness which cannot be converted as directed in this section on July first, one thousand nine hundred and seventeen, arrangements shall be made for the conversion of such instruments when same shall become due and their renewals shall be evidenced by instruments as herein directed; *provided, further,* that there shall be at no time outstanding tax revenue notes of any year in excess of the amount of the face value of the tax revenues of that year, which are in arrears, plus the amount of receipts from such tax revenues in hand applicable to the discharge of such notes at maturity. If, after such distribution and conversion, there shall remain any such instruments of indebtedness which cannot be distributed and converted as above directed, the amount of such instruments shall be known as "floating indebtedness."

Tax revenue notes of 1914."

Proviso.

Proviso.

Remainder known as "floating indebtedness."

6. If in any municipality or county there shall be any indebtedness falling due within two years from July first, one thousand nine hundred and seventeen, for the payment of which no other provision has been made, and which has been incurred in good faith for any lawful purpose of the municipality or the county, as the case may be, prior to the beginning of the fiscal year, for which the next tax levy shall be made, all or any portion of which has not been included in any tax levy or levies

Additional "floating indebtedness."

or which has not corresponding existing and adequate assets for its support, such indebtedness or such portion thereof as has not been included in the tax levy shall also be known as "floating indebtedness."

Notes or bonds  
issued to re-  
fund balance  
of floating  
indebtedness.

7. If after the distribution and conversion as herein directed there shall be any floating indebtedness in any municipality or county, it shall be lawful for, and the governing body thereof is hereby directed to, issue floating indebtedness bonds or floating indebtedness notes for the purpose of refunding such floating indebtedness on or before November first, one thousand nine hundred and seventeen, and not thereafter. For such purpose the power is hereby expressly conferred upon the governing body of any such municipality or county, as the case may be, to issue bonds or notes by virtue of any proper ordinance or resolution to be passed at a regular meeting of such governing body; said ordinance or resolution shall recite the amount of the floating indebtedness to be refunded and the manner and cause of its origin, so far as the same can be determined, and the passage of such ordinance or resolution shall be conclusive evidence that the indebtedness herein mentioned is properly classified as floating indebtedness within the meaning of this act, so far as the validity of such bonds or notes issued in pursuance of such ordinance or resolution is concerned; such bonds or notes shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually and shall be made payable in practically equal annual installments, the first installment to become due December thirty-first, one thousand nine hundred and eighteen, each installment to be in amount not less than one-fifth of a mill on the dollar of the last corrected assessed valuation of such municipality or county, as the case may be, but in no case shall the bonds run for a longer period than twenty years; *provided*, that in order to redeem such bonds or notes, and to pay the interest thereon, there shall be created a special tax, and said tax shall be placed in each successive tax levy, and shall be assessed and collected as other taxes are assessed and collected. Said bonds or

Validity of  
issue.

Rate.

Payable.

Proviso.

When sold  
publicly.

notes if in excess of ten thousand dollars shall be sold at public sale at not less than par. *Provided, further,* that upon a two-thirds vote of the governing body, bonds or notes authorized herein, to any amount, may be sold to the sinking fund of the issuing municipality or county, as the case may be, at par, without advertisement or public bidding. Proviso.

8. The governing body of each municipality and county shall transmit to the commissioner of municipal accounts on or before the first day of September, one thousand nine hundred and seventeen, an accounting of all indebtedness, evidenced by instruments of the kind in this act mentioned or provided and the distribution and conversion thereof, together with the amount of such floating indebtedness as may have resulted from the distribution and conversion as herein directed. Accounting rendered commissioner of municipal accounts.

If any municipality or county shall have no floating indebtedness as defined by this act, the distribution and conversion as herein directed shall, nevertheless, be made, and an accounting thereof shall likewise be sent to the commissioner of municipal accounts on or before the first day of September, one thousand nine hundred and seventeen. If no floating indebtedness.

9. Any municipality or county may issue tax revenue bonds instead of tax revenue notes and tax title bonds instead of tax title notes, as provided in this act, upon ordinance or resolution adopted by the governing body of the municipality or county, as the case may be. Said bonds so issued shall be subject, in all respects, to the provisions of this or any other act relating to said notes. Bonds issued instead of notes.

10. All acts and parts of acts inconsistent herewith are hereby repealed; *provided, however,* that the provisions of "An act to authorize and regulate the issuance of bonds and other obligations, and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and constituting chapter 252 of the Laws of 1916, shall not be deemed in any respect affected or limited by this section, and said acts shall be deemed additional and independent. Repealer.  
Proviso.

authority (within the scope of the authority conferred by it) for the financing of any of the purposes provided for in this act.

11. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 154.

An Act creating a Department of Municipal Accounts and the office of Commissioner of Municipal Accounts, and defining his duties and powers.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Department  
and office  
created.

1. There is hereby created and constituted a Department of Municipal Accounts, and the office of Commissioner of Municipal Accounts. Such commissioner shall be the chief officer of such department, and shall be appointed by the State Treasurer for a term of three years, at a salary of thirty-six hundred dollars per year, payable in monthly installments. The State Treasurer shall appoint a deputy to perform the duties of such commissioner during disability, and to fill any vacancy caused by death, resignation or disqualification of such commissioner for the unexpired term of the original appointment. The Commissioner of Municipal Accounts shall direct the affairs of such department and enforce the laws of the State with reference thereto, and in connection with the financial affairs of the several municipalities, counties and school districts of the State. Such department shall have an office in the State House.

Appointment.

Term; salary.

Deputy.

Vacancy.

Duties.

Office.

Under super-  
vision of state  
treasurer.

Assistants.

2. The Department of Municipal Accounts, its officials and employees, shall be under the general supervision and direction of the State Treasurer, and by and with his consent the commissioner may appoint assistants as may from time to time be necessary in the con-



duct of the affairs of the department, and fix their compensation.

3. It shall be the duty of the Commissioner of Municipal Accounts or his agents to visit each municipality, county and school district in the State and examine the books, papers, securities and moneys in the custody of the sinking fund commission thereof, at least once in every two years, and oftener if deemed necessary, and every sinking fund commission shall exhibit its books, papers, securities and moneys to such commissioner or his agent and facilitate the examination of such sinking funds so far as it may be in its power to do so. The commissioner may make such recommendations as he may deem advisable concerning the sinking fund of any municipality or county, and the secretary of the sinking fund commission shall immediately send a copy of such recommendations to each member of the sinking fund commission and to the executive head of the municipality or county, and shall advise the commissioner as to the action of the sinking fund commission with reference thereto. The commissioner or his agent shall have power to examine, under oath or affirmation, any officer, or member of the governing body, or employee, of the municipality, county, school district or sinking fund commission relative to sinking funds. The commissioner shall have power to prescribe the method or system of setting up and keeping sinking fund accounts in the several municipalities, counties or school districts, and to prescribe the form of reports and statements to be made to the State by municipal, county or school district officials, or sinking fund commissions with reference to said sinking fund.

4. The Commissioner of Municipal Accounts shall prescribe the form of reports and statements to be made to the State in connection with the sinking fund, financial statement and any other reports or statements in connection with the financial condition of any municipality, county or school district, as provided in this or any other statute. It shall be the duty of the commissioner to forward to the sinking fund commission and the proper official of the several municipalities,

Commissioner to visit and examine books, securities, etc.

Advise as to sinking fund.

Examine officers and employees.

Prescribe system of accounts.

Form of statements.

Form of, financial statements.

Furnish blanks.

counties and school districts, the blank forms for making the reports and statements required to be made by them, at such times as will permit them to make and file such reports in conformity to this or any other statute.

Examination  
of sinking  
fund require-  
ments.

5. Upon the receipt of the statement setting forth the annual sinking fund requirements of the several municipalities, counties and school districts, from the sinking fund commission thereof, the commissioner shall examine and audit such requirements, with reference to the sufficiency thereof, and shall correct or approve same, and transmit his certificate thereof at the time and in the manner as provided by law.

Amortization  
of bonded  
debt.

6. The Commissioner of Municipal Accounts shall examine the calculations and tabulations of the condition of the sinking funds as submitted to him by the sinking fund commission of the several municipalities, counties and school districts of the State, with reference to the sufficiency thereof, for the amortization of their bonded debt, in accordance with the standards as fixed by law. If upon examination of such tabulations and calculations the commissioner shall find that the sinking funds so tabulated and distributed are insufficient for the amortization of the bonded debt of the municipality, county or school district, as the case may be, he shall issue a certificate as to the amount required to make good the deficiency of such funds, which certificate shall state the additional annual requirements to be made for the special sinking fund account as provided by law.

If funds not  
sufficient, cer-  
tificate of  
amount to  
make good  
deficiency.

Compile, pub-  
lish, and dis-  
tribute state-  
ments.

7. The Commissioner of Municipal Accounts, upon receipt of the statements of the several municipalities as to the financial transactions and conditions thereof, shall compile and publish such statements for distribution, in accordance with the provisions of the statute.

Procedures  
in connection  
with bond  
issues.

8. The Commissioner of Municipal Accounts shall receive and hold in safe-keeping the certified copies of the procedures and other papers filed with him in connection with bond issues, and the same shall be held for public record. Upon request, he shall furnish at-

tested copies of such papers and charge therefor such reasonable fees as he shall from time to time fix.

9. The fee to be paid by the municipality, county or school district for the examination and audit of its sinking fund, as herein provided, shall be at the rate of fifteen dollars per day, or proportionate fraction thereof, for each examiner, for making such examination and audit.

Examiner's  
fees for  
auditing.

10. In the event that the sinking fund commission of any municipality, county or school district shall fail to transmit to the Commissioner of Municipal Accounts the certificate of the annual sinking fund requirements, or the tabulation and calculations of sinking funds, or the certificate as to the receipt or nonreceipt by it of the amount certified as the annual sinking fund requirements, within five days after the time so fixed by statute for making such reports, tabulations and calculations, or filing such certificates, each member of the sinking fund commission so in default shall be liable to a fine of five dollars for each day of such default, or if the official designated by law to compile and transmit the annual statement of the financial condition of the municipality, county or school district, shall fail to do so within five days from the time fixed by law for the filing of such, then such official shall be fined the sum of five dollars for each day of such default. The fee to be paid by the municipality, county or school district for the examination of its sinking funds, and the fines or penalties herein imposed or by any other statute may be recovered by the State Treasurer under an action for debt in the name of the State, in any court of competent jurisdiction.

Penalty for  
not filing  
report of  
sinking fund  
or municipal  
financial con-  
dition.

Examining  
fees recover-  
able at law.

11. The Commissioner of Municipal Accounts shall report to the Legislature the condition of the sinking funds and the statement of the financial conditions of the municipalities, counties and school districts of the State, and shall compile and publish such report for general distribution.

Report to  
legislature.

12. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealer.

13. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 155.

An Act requiring the filing of financial statements of cities and other municipalities, counties and school districts.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Financial officers to file annual statements with commissioner of municipal accounts

1. It shall be the duty of the comptroller of each city, the financial officer of all other municipalities, the collector of each county, and the custodian of school moneys of each school district, to file annually within sixty days of the close of the fiscal year of such city, or other municipality, county or school district, with the Commissioner of Municipal Accounts, upon forms furnished and prescribed by him, a statement, under the oath of the official required to make the same, of the financial condition of such city or other municipality, county or school district, as of the close of the fiscal year of such city or other municipality, county or school district immediately preceding the time fixed for filing such statement, which statement shall include such information concerning the finances of said city, municipality, county or school district, as the Commissioner of Municipal Accounts shall require.

Penalty for failure to file statement.

2. Every such official who shall fail to file such statement within five days of the time fixed for filing the same shall be subject to a penalty of five dollars for each day of neglect to file the same, to be recovered by the State Treasurer in an action for debt against such official in any court of competent jurisdiction.

Repealer.

3. The act entitled "A further supplement to an act creating the office of comptroller of the treasury and defining the duties thereof, approved March seven-teenth, one thousand eight hundred and sixty-five," which act was approved March eighteenth, one thousand

eight hundred and eighty-one, and all other acts and parts of acts inconsistent with this act are hereby repealed.

4. This act shall take effect June thirtieth, one thousand nine hundred and seventeen. Act effective.

Approved March 27, 1917.

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### CHAPTER 156.

An Act requiring the filing of records of the proceedings relating to bond issues.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The clerk of each municipality, the clerk of the board of chosen freeholders of each county and the district clerk of each school district shall file with the Commissioner of Municipal Accounts certified copies of the proceedings relating to the issue of any and all bonds by such municipality, county or school district, together with copies of any legal opinions relating thereto, immediately upon the sale of such bonds.

Copies of proceedings relating to issue of bonds filed with commissioner of municipal accounts.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 157.

An Act to provide for the employment of inmates of county workhouses and penitentiaries, and to provide for payments therefor.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Employment  
of prisoners.

1. The board of chosen freeholders of any county in this State may cause to be employed within such county any or all prisoners in any county workhouse or penitentiary under sentence, or committed for non-payment of a fine and costs, or committed in default of bond for nonsupport of the family, and the product of their labor may be disposed of to the county or to any public institution of the county. Nothing herein contained shall permit the employment of prisoners to take the place of free labor locked out or on strike, nor shall any prison labor be employed upon any public improvement when free labor sufficient to carry on the work makes application for employment thereon.

Exception.

Control and  
custody.

2. When prisoners are so employed they shall be in the custody and control of the board of chosen freeholders, who shall make rules and regulations governing their employment. The board of chosen freeholders may employ necessary guards and attendants while prisoners are so employed and fix their duties and salaries as well as the terms of their employment.

Guards.

Compensation.

3. The wages and salaries of such guards and attendants and other necessary expenses in connection therewith, together with wages or earnings paid to prisoners as hereinafter provided, shall be included in and shall be charged against the cost of such work.

Wage system  
for prisoners.

4. The board of chosen freeholders may establish a wage system for payment to prisoners for their services upon work carried on by the board of chosen freeholders or by any board, commission or institution that

receives funds from the county, and such wage system may include in its provisions all prisoners employed in any work or service necessary for the maintenance of said workhouse or penitentiary or their inmates.

*Provided*, that the wages set by the board of chosen freeholders shall not exceed fifty cents per day for each day of eight hours' work by such prisoners. *Provided*,

*further*, that in the payment of wages to prisoners preference shall be given to those who have persons legally dependent upon them for support.

5. When a prisoner has a wife, child or children or others legally dependent upon him, or her, for support, the earnings of such prisoner shall be disbursed through the county probation office to such dependents, or to the society or institution having the care or custody of the said dependents, or any of them, as the court may direct, and the order of the court relative to payments of said earnings may be modified at any time thereafter as the court may determine; *provided, however*, that the court may order that the fines and costs may be first charged against and deducted from the earnings of such prisoner. The board of chosen freeholders shall make rules and regulations relative to the disposition of the earnings of all prisoners, and may designate an officer or employee of the county as the disbursing agent of such funds.

Proviso.

Proviso.

Wages distributed to dependents of prisoner.

Proviso.

Rules and regulations as to funds.

6. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 158.

An Act to authorize the erection and equipment of a battalion armory at Passaic, New Jersey, according to the provisions of an act entitled "An act to provide for the erection and equipment of armories in counties in the second class in this State, and making appropriations therefor," approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Passaic armory.

1. Whenever the board of freeholders of the county of Passaic shall certify to the State Military Board that there has been acquired and conveyed to the State of New Jersey a tract of land suitable for the erection of a battalion armory, which land shall have been approved by the State Military Board, and the title thereto approved by the Attorney-General, as provided by the act entitled "An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor," approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto, the State Military Board is authorized to proceed to the erection and equipment of a battalion armory according to the provisions of the said act.

Appropriation.

2. The sum of one hundred thousand dollars (\$100,000.00) is hereby appropriated for such purpose, to be expended in accordance with paragraph six of the said act when included in any annual or supplemental appropriation bill.



3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed. Repealer.

4. And this act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 159.

An Act to amend an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section one hundred and eighteen of the act to which this act is amendatory be and the same is hereby amended so as to read as follows: Section 118 amended.

118. Any child living remote from any public school in the district in which he or she shall reside, shall be allowed to attend a public school in an adjoining district with the consent of the county superintendent of schools, which consent shall be in writing, and one copy thereof filed with the district clerk or secretary of the board of education of the district in which such child shall reside, and one copy filed with the district clerk or secretary of the board of education of the district in which such child shall attend school; and in case the districts shall not be in the same county, the written consent of the county superintendent of schools of each county shall be obtained. Attendance of child in adjoining district.  
Consent.

The board of education of the district in which such child shall attend school shall be entitled to charge and collect from the school district in which such child resides a reasonable sum for the tuition of such child, Tuition.

which sum, if not agreed upon by the boards of education of the respective districts, either in advance or during a school term, shall, upon the written request of either of said boards, be fixed and determined by the county superintendent of schools of the district in which such child shall attend school, and by him certified in writing to each of said boards, which sum, so certified, shall forthwith be paid.

Repealer.

All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 27, 1917.

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#### CHAPTER 160.

An Act to amend an act entitled "An act to amend an act entitled 'An act to prohibit fishing through or under ice in any of the waters of this State,' approved May fifteenth, nineteen hundred and seven," which amendment was approved March seventeenth, one thousand nine hundred and fifteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 1  
amended.

1. Section one of the act of which this act is amendatory be and the same is hereby amended so that it shall read as follows:

Fishing  
through ice.

1. It shall be unlawful for any person or persons to take, or attempt to take, any fish from any of the waters of this State, by any line with hooks attached thereto, or by any other device, net or tackle operated through an opening in the ice in said waters, or drawn beneath such ice; *provided, however,* that nothing herein contained shall prohibit the taking of carp or suckers with a net through or under the ice between the first day of December and the first day of March next ensuing in

Proviso.

each year; *provided, further*, that nothing herein contained shall apply to the taking of eels by any means now or hereafter sanctioned by law; *and further provided*, that nothing herein contained shall prohibit the taking of pike or pickerel through the ice in the manner known as angling with hand lines or with rod and lines, between the first day of January and the twentieth day of January, both days inclusive, of each year; *and further provided*, that not more than ten lines, each of which lines shall not have more than one hook attached thereto, shall be used by any person.

Proviso.

Proviso.

Proviso.

2. Any person offending against any of the provisions of the first section of this act shall suffer a penalty of twenty dollars.

Penalty.

3. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 161.

An Act to amend an act entitled "An act concerning marriages" (Revision of 1912).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section five of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Section 5 amended.

5. Before any assessor, registrar or clerk shall issue any marriage license, as provided in the third and fourth paragraphs of this act, he shall require the contracting parties to appear and subscribe and swear to an oath or affirmation attesting the truth of the facts respecting the legality of the proposed marriage, which testimony shall be verified by a witness of legal age, residing in the municipality in which the license is issued and he shall issue the said license only if it shall be thus made to appear before him that no legal impediment to such

Oath of applicant.

License fee.

Interval between application and issuance of license.

marriage exists. For issuing such license he shall be entitled to receive from the applicant the sum of one dollar. No license shall be issued by any assessor, registrar or clerk until a period of forty-eight hours shall have elapsed after the application has been made for same; and any assessor, registrar or clerk who shall issue any license, except as provided for in this act, shall be guilty of a misdemeanor. In cities of the first class all such marriage licenses shall hereafter be issued by the city clerk, and all fees so received shall be paid into the treasury of such city to be used for the relief of its poor.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 162.

An Act relating to the division of the uniformed fire-fighting force of certain municipalities in this State having a paid or partly paid fire department into two platoons, and providing for funds for the payment of additional men necessary to make up said platoons.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Two platoons except in first and second class cities.

1. The permanent paid officers and members of the uniformed fire-fighting force in every municipality in this State other than cities of the first and second class having a paid or partly paid fire department shall be divided by the fire commissioner, board of fire commissioners, chief engineer, board of engineers, or other board, officer or officers having charge or control of such paid fire-fighting force into two bodies or platoons, which shall be designated as a day force and a night force, and said day force and night force shall alternate on tours of duty every fourth day.

2. The hours of duty of the day force shall be from eight o'clock A. M. to six o'clock P. M., and the hours of duty of the night force shall be from six o'clock P. M. to eight o'clock the following morning; *provided*, that on every fourth day, for the purpose of alternating the day force with the night force and vice versa, the numbers of hours of duty herein stated may be exceeded, but one force shall be at liberty at all times, except as otherwise provided in section three of this act.

Hours of duty.

Proviso.

3. In case of a serious conflagration the officer, officers or board having charge or control of such paid fire-fighting force shall have full authority to summon and keep on duty any or all of the paid members of such fire-fighting force while such conflagration continues.

When entire force on duty

4. The provisions of this act shall not act as a repeal of any act or acts, or part or parts of any act or acts, and shall not annul, modify or effect any ordinance in such municipality, or part or parts thereof, relating to the salaries, annual vacations, sick or disability leave of the paid members of the fire-fighting force in such municipalities of this State; nor shall the salaries be fixed at a less amount, nor the annual vacations, sick or disability leave be fixed for less periods, than the salary received and the time allowed for annual vacations, sick or disability leave to the paid members of the fire-fighting force at the time of the adoption of this act in any such municipality of this State.

Effect of act.

5. This act shall take effect immediately, but its provisions shall remain inoperative in any such municipalities in this State until the question of the adoption of the provisions of this act are submitted to the legal voters of any such municipalities in the following manner: Upon petition in writing of not less than twenty per centum of the registered voters of any such municipality filed with the municipal clerk or other officer or officers whose duty it is to prepare the official ballots in or for such municipality for the next general election to be held therein after the filing of said petition; and after so filing said petition the said municipal clerk, or other officer or officers as aforesaid, he or they shall

Referendum.

Petition.

Question submitted at general election.

have printed or cause to have printed on the official ballots to be submitted to the legal voters in such municipality at its next general election the question of the adoption or rejection of the provisions of this act in the manner set out in section six of this act.

Question on  
ballot.

6. At any election which the question of the adoption of the provisions of this act shall be submitted to the legal voters of any such municipality there shall be printed upon the official ballot for such municipality underneath the names of the candidates the words "An act relating to the division of the uniformed fire-fighting force of certain municipalities in this State having a paid or partly paid fire department into two platoons, and providing for funds for the payment of additional men necessary to make up said platoons." And directly opposite the above words there shall be printed on said official ballot the word "Yes" and the word "No," with a blank square opposite both the word "Yes" and the word "No." If the voter marks an X mark in black ink or black pencil in the square opposite the word "Yes" it shall be counted as a vote in favor of the acceptance of this act; if the voter shall mark an X mark in black ink or black pencil in the square opposite the word "No" it shall be counted as a vote against the acceptance of this act; and in case no mark be made after the word either "Yes" or "No" it shall not be counted as a vote either for or against the acceptance of this act. A canvass and a return of the votes upon the question of the acceptance of this act shall be made by the election officers in the same way and manner as for officers voted at such election; and if a majority of the votes cast for and against the acceptance of this act shall be found to be in favor of its acceptance, it shall then, but not otherwise, become operative in such municipality.

Voting.

Canvass and  
return.

Temporary  
bonds to meet  
expenses.

7. Whenever in any such municipality of this State the provisions of this act have been adopted as aforesaid, and it shall be necessary to appoint additional men to the fire department in such municipality, in order to provide a sufficient force to carry out the provisions of this act, it shall be lawful for the common council or

governing body in said municipality to provide, by appropriation, for the payment of the salaries of such additional men until the end of the current fiscal year, by an issue of bonds or notes to be known as "Temporary fire bonds or notes," which bonds or notes shall bear interest at a rate not in excess of four and one-half per centum per annum, and to sell the same in the manner now provided by law. Rate.

8. Whenever such bonds or notes are issued, in accordance with the provisions of section seven of this act, it shall be the duty of the common council or other governing body of said municipality to raise, by general tax, in the year succeeding the issue of such bonds or notes, such sum as will be necessary to pay the principal and interest of said bonds and notes, and to retire and pay the same within the year succeeding the year of their issue. Provision  
for principal  
and interest.

9. All acts and parts of acts, and all ordinances and parts of ordinances, effecting the number that may be appointed as members of the fire-fighting force, and the meal hours and days off of such members in such municipality in which the provisions of this act takes effect, are hereby rendered inoperative and annulled so far as they effect said municipality. Repealer.

Approved March 27, 1917.

## CHAPTER 163.

An Act to provide for the salary or compensation of persons in good faith performing services in municipalities under and pursuant to any statute before such statute is judicially pronounced to be unconstitutional.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Payment of  
salary to any  
one serving  
in good faith.

1. Whenever heretofore or hereafter anyone shall actually have performed services for any municipality of this State in the duties of any office or position, created by or pursuant to any statute, whether constitutional or unconstitutional, in good faith and before such statute shall have been judicially pronounced to be unconstitutional, he shall be entitled to receive such salary or compensation as he would have been entitled to if such statute were constitutional.

Payment for  
services in  
position creat-  
ing office.

2. Where such statute purports to create an office or position in addition to and in all respects similar to one or more offices or positions already existing in such municipality, then such person performing services as set forth in the preceding section shall be entitled to salary or compensation at the rate then fixed for the said similar offices or positions then existing in such municipality, for the period during which such services shall have been performed.

3. This act shall take effect immediately.

Approved March 27, 1917.



## CHAPTER 164.

An Act to amend an act entitled "An act providing for the creation of Juvenile Courts in counties of the first class, and defining the jurisdiction and powers thereof," approved April first, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section twenty of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Section 20  
amended.

20. The judge of said court shall designate not more than four persons as officers or attendants of said court and shall fix the salaries of said officers or attendants; *provided, however*, no such officer or attendant shall receive more than twelve hundred and fifty dollars per year, payable in equal monthly installments, for the first year of service; not more than thirteen hundred dollars for the second year of service; not more than thirteen hundred and fifty dollars for the third year of service; not more than fourteen hundred dollars for the fourth year of service; not more than fourteen hundred and fifty dollars for the fifth year of service, and for the sixth year of service and thereafter not more than fifteen hundred dollars per year; *and provided further*, that the determination of the amount of such salaries shall be approved by the justice of the Supreme Court assigned to the Circuit Court in and for the county in which such Juvenile Court is located. Said salaries and all legally authorized expenditures incident to the administration of said court shall be paid in the manner provided for the payment of the expenses of the Court of Common Pleas.

Court attend-  
ants.

Proviso: sal-  
aries

Proviso.

Payment of  
salaries.

The years of service for officers or court attendants above mentioned shall be computed from the time of

Service com-  
puted.

their respective appointments to the positions; all payments shall be made semi-monthly, which payments shall be in full, and in lieu and stead of all fees, mileage or other allowances heretofore allowed for the service of processes and duties of such officers or court attendants.

Application  
of act.

This act shall be applicable to the present incumbents as well as to future appointees.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved March 27, 1917.

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## CHAPTER 165.

An Act to authorize towns fronting on navigable waters of this State to acquire riparian lands or lands under water and other lands and rights in lands incident thereto, and to construct, establish and maintain thereon public docks, warehouses and other structures, wharves, piers, bulkheads and shipping facilities, and to regulate the use of the same.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Town to prepare map of land and riparian rights deemed necessary for docks, etc.

1. Whenever the governing body of any town fronting on navigable waters in this State shall, by resolution, determine that it is for the advantage of said town to construct, establish and maintain public docks, warehouses and other structures, wharves, piers and bulkheads, and transportation facilities, said board or body shall cause to be prepared a plan or map showing the lands, and riparian lands and lands under water, within said town which, in the judgment of said board or body, are necessary or advisable to be acquired or taken for the purpose of establishing said docks, warehouses and

other structures, wharves, piers and bulkheads, and shipping and transportation facilities, which lands may be, in the direction of said body, of sufficient bounds and extent to accommodate and provide not only for the present, but for the future requirements of said town.

2. Said board may, from time to time, as it shall by resolution determine to be for the best interest of the town, purchase said lands and rights therein, and riparian lands and lands under water, and riparian lands and riparian rights, and such lands under water as are held by any individual or individuals, corporation or corporations, or cause any such lands and rights in lands and such lands under water, held by any individual or individuals, corporation or corporations, to be condemned in the manner provided by law; and said board of said town is authorized to purchase from the Board of Commerce and Navigation any riparian lands or interest in lands required for the purposes of this act, and the Board of Commerce and Navigation of this State are hereby given express authority and directed to sell to said town in fee simple the lands or any part thereof; *provided, however*, that no grant shall be made by the Board of Commerce and Navigation to any town of any riparian rights or interests in lands where the upland is not already owned by said town, unless three months' notice, in writing, shall be given to the owner of the upland, or published for thirty days in one of the newspapers printed, published or circulating in said town wherein the lands under water and riparian lands or interest in lands sought to be acquired lie, if there be such a paper, otherwise a paper printed, published and circulating in the county wherein said town is located, which notice shall state in effect that if said owner or owners of the upland shall not apply to and obtain from said Board of Commerce and Navigation a grant for said land within six months after the giving of the notice, either personally or after the first publication, as aforesaid, said town will apply therefor.

Resolution  
of governing  
board.

Purchase of  
riparian lands.

Proviso.

3. Whenever such town shall have acquired all or any part of the lands, riparian lands or lands under water, shown on said map or plan, said board shall have

Town to con-  
struct docks,  
warehouses,  
etc.

- full authority to construct, establish and maintain thereon docks, warehouses and other structures, wharves, piers and bulkheads, and other shipping and transportation facilities, or in the waters adjacent thereto, and shall have full authority with the approval of the Board of Commerce and Navigation to fill in said lands and make and construct waterways upon or over said lands reaching to the main channel of said navigable waters upon which said lands front, and may also acquire additional lands for the purpose of connecting said docks with the highways within said town and with other public docks, if any, of said town, or for the reclamation, filling in and use of the same, and may, upon the additional lands so acquired, construct all other appliances necessary or convenient for the purpose of affording proper and convenient access to said docks and other shipping and transportation facilities from railroads and highways and other docks in said town; *provided*, that not more than one mill of the ratables of said town shall be spent in one year under the authority of this act.
4. Said board or body shall have exclusive right and control subject to the approval of the Board of Commerce and Navigation of all the wharves, piers, bulkheads and structures thereon under water adjacent thereto; and the water fronts, lands under water and the structures thereon, and the appurtenances, easements, uses, reversions and rights belonging thereto, acquired under this act, and shall have exclusive charge and control of the building, rebuilding, repairing, maintaining, altering, strengthening, leasing and protecting said property and every part thereof.
5. To provide for the payment of the costs and expenses incurred or to be incurred for the acquirement of lands, rights or interests in lands, or other property and rights, and for the construction and establishment of wharves, docks and other structures authorized under this act. Said governing board or body of such town shall have power from time to time to issue the corporate bonds of such town for the carrying out of the purposes of this act in an amount not exceeding
- Filling.
- Acquire land for highways.
- Reclamation.
- Proviso.
- Control.
- Bond issue.
- Amount.

the total cost, including the interest of the whole work. Said bonds shall be called dock bonds, and shall be issued under the supervision of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations, and the incurring of indebtedness, by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen.

"Dock bonds."

6. All income derived from said docks and shipping facilities so constructed and to be constructed shall be applied, first, to the care, maintenance, repair and reconstruction of said docks and shipping facilities, and the surplus shall be applied to the payment of interest and principal payments on outstanding bonds.

Use of income.

7. This act shall not take effect until its provisions shall have been submitted to the legal voters in any town desiring to accept the same after a resolution shall have been adopted by the governing body of such town, directing that the same shall be submitted to the legal voters of such town for acceptance or rejection. The said act shall be thereafter submitted, at the next annual election or at a special election called for that purpose, to the legal voters of such town for the purpose of accepting or rejecting the provisions thereof, and for that purpose there shall be printed on the ballots used in such election the words "For Docks," and under the same the words "Against Docks." The voter desiring to vote in favor of docks shall indicate his choice by striking out the words "Against Docks," and the voter desiring to vote against docks shall indicate his choice by striking out the words "For Docks," and the election officers charged with the duty of counting and making returns at such election in such town shall report the result of such vote to the proper election officers, as in other cases.

Referendum.

Submission.

Question on ballot.

Voting.

Result.

If a majority of the legal voters voting in such town at such election shall vote in favor of accepting the provisions of this act, the same shall go into effect and become operative in such town at once thereafter. The erasure of the words on said ballot, as heretofore indi-

When act effective.

cated, by the voter desiring to indicate his choice, shall not be construed in counting said ballot for other purposes as a marking of the same.

8. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 166.

An Act to amend an act entitled "An act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 12  
amended.

1. Section twelve of the act of which this is amendatory be and the same hereby is amended to read as follows:

Local boards  
may pass ordi-  
nances, make,  
rules, etc.

12. The said local boards of health shall have power to pass, alter or amend ordinances, and make rules and regulations in regard to the public health within their several jurisdictions for the following purposes, but such ordinance shall have three readings before its final passage, and at least one week shall intervene between the second and third readings of said ordinance, and a notice stating the title of said ordinance, and the date when it passed its second reading, shall be published at least one week prior to its final passage in at least one newspaper published in the township, city, town, borough or other local municipal government, if any newspaper is published therein, and if there be no newspaper published therein then in some newspaper of the county circulating in such township, city, town, borough or other local municipal government:

Readings of  
ordinances.

Purposes of  
ordinances:

- |   |                                       |
|---|---------------------------------------|
| I. To aid the enforcement of the law as to the adulteration of all kinds of food and drink, and to prevent the sale or exposure for sale of any kind of meat or vegetable that is unwholesome or unfit for food;  | Adulteration of food;                 |
| II. To define and declare what shall constitute nuisances in lots, streets, docks, wharves, vessels and piers, and all public or private places;  | Nuisances defined;                    |
| III. To prevent the spreading of dangerous epidemics or contagious diseases, and to declare that the same has become epidemic, and to maintain and enforce proper and sufficient quarantine whenever deemed necessary;  | Contagious diseases;                  |
| IV. To regulate, control and prohibit the keeping or slaughtering of all kinds of animals;  | Animals;                              |
| V. To regulate, control and prohibit the accumulation of offal and all decaying or vegetable substances;  | Offal;                                |
| VI. To prohibit and remove any offensive matter or abate any nuisance in any public highway, road, street, avenue, alley or other place, public or private, and to cause the removal at the expense of the owner;   | Removal of nuisances;                 |
| VII. To compel the return of all births, deaths and marriages by physicians, midwives, nurses, clergymen, magistrates and other persons professional officiating at such death, birth or marriage;  | Return of births, deaths, marriages.  |
| VIII. To secure the sanitary condition of tenement houses, jails, prisons and all public buildings;   | Sanitation of tenements, jails, etc.; |
| IX. To regulate, control or prohibit the cleaning of sewers, the dumping of garbage, the filling of sunken lots, or marshlands, and to provide for the filling up of such lots or lands;  | Sewers;                               |
| X. To regulate and control the method of construction, the location, the method or manner of emptying or cleaning, and the frequency of cleaning cesspools and privies;   | Privies;                              |
| XI. To regulate and control the mode of connection of house drainage and plumbing with outside sewers, cesspools or other receptacles;  | House drainage;                       |
| XII. To protect the public water-supply and prevent the pollution of any stream of water or well, the water of which is used for domestic purposes, and to order not to be used or closed any well, the water of which is polluted or detrimental to the public health; | Protect water supply;                 |

Quarantine;

XIII. To remove persons infected to a suitable place, in case of contagious or infectious disease, where, in the judgment of the board, such removal is necessary and can be accomplished without any undue risk to the person or persons diseased, and to disinfect the premises when deemed necessary;

Burials;

XIV. To regulate the burial and disinterment of human bodies;

Midwifery.  
Proviso.

XV. To regulate the practice of midwifery; *provided*, that no ordinance passed pursuant to the authority contained in this subdivision shall conflict in any way with the provisions of an act entitled "An act to regulate the practice of midwifery," approved March twenty-eighth, one thousand eight hundred and ninety-two, or with any act amendatory thereof or supplemental thereto.

Approved March 27, 1917.

## CHAPTER 167.

A Further Supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers," approved April second, one thousand nine hundred and six.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Assistant prob-  
ation officers.

I. In any county of the first class, if the interests of justice require, and to carry out the purpose of the act to which this act is a further supplement, there may be appointed, upon application of the chief probation officer, as many assistant probation officers as may be needed, not exceeding five, in addition to those already authorized by law, and said assistant probation officers may be appointed, the salaries fixed and paid in the manner provided in the act to which this act is a fur-



ther supplement. Two or more of said assistant probation officers may be women.

2. This act shall take effect immediately.

Approved March 27, 1917.

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## CHAPTER 168.

An Act to regulate the construction, maintenance, use and inspection of scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes that are used in the construction, alteration, repairing, painting, cleaning or pointing of buildings, and providing penalties for the violation of the provisions of this act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever complaint is made to the Commissioner of Labor of this State, mayor, superintendent of police or other persons in charge of the police force in any city, town, borough or township in this State, that the scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any stationary sling or scaffolding used in the construction or alteration, repairing, painting, cleaning or pointing of buildings within the limits of any city, town, borough or township aforesaid are unsafe or liable to prove dangerous to life or limb of any person, such Commissioner of Labor, mayor, superintendent of police, or other persons in charge of the police force, shall immediately cause an inspection to be made by a duly accredited representative of the Commissioner of Labor or by the building department of such municipality, or by a competent architect or builder of such scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons

On complaint that scaffolding, or other appliances are unsafe, examination made.

By whom inspection made.

Prohibit use  
and require  
alteration.

or ropes, or other parts connected therewith. If, after examination, such scaffolding, or any of such parts, is found not to conform to the provisions of this act, or with the rules made by the Commissioner of Labor under the authority of this act, the Commissioner of Labor, mayor, superintendent of police, or other persons in charge of the police force, shall prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger.

Certificate of  
inspection  
attached to  
scaffold or  
parts.

The person directed to make such inspection shall attach a certificate to the scaffolding or slings, hangers, irons, ropes or other parts thereof examined by him, which certificate shall state that he has made such examination, and that he found it safe or unsafe, as the case may be. If he declares it to be unsafe, he shall at once, in writing, notify the person responsible for its erection of the fact, and warn such person or persons against the use thereof. Such notice shall be served personally upon the person responsible for the erecting, or by conspicuously affixing it to the scaffolding or part thereof to be declared unsafe.

If defective,  
notification to  
person respon-  
sible.

Immediate  
action.

After such notice has been served or affixed, the person responsible shall immediately remove such scaffolding or part thereof, or alter or strengthen it in such manner as to render it safe in the discretion of the person who has examined it, or his superiors.

Access to  
scaffold or  
building.

Any person whose duty it is to examine or test any scaffolding or part thereof, as required by this act, shall have free access at all reasonable hours to any building or premises containing them or where they may be used.

Safety rail.

2. If any scaffolding or staging swung or suspended from an overhead support or supports shall be more than ten (10) feet from the ground or floor, same shall be deemed unsuitable and improper, and as not giving proper protection to the life and limb of any person employed or engaged thereon, unless such scaffolding or staging shall, while the same is in use, have a safety rail properly bolted secure and braced and rising at least thirty-four (34) inches above the floor or main portion of such scaffolding or staging, and extending

along the entire length of the outside and ends thereof, and properly attached thereto, and it shall be provided with braces so as to sustain the weight of a man's body leaning against it. Such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

Braces.

Swaying.

3. All swinging and stationary scaffolding shall be so constructed as to bear four (4) times the maximum weight to be dependent therefrom or placed thereon while in use, and not more than three (3) men shall be allowed on any swinging scaffolding at any time.

Capacity of scaffold.

In addition to the safeguards hereinabove provided, the Commissioner of Labor shall make such rules as may in his judgment be necessary to render the use of scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any stationary sling or scaffolding used in the construction or alteration, repairing, painting, cleaning or pointing of buildings within the limit of this State safe.

Rules as to safety of appliances.

4. Any owner, contractor, subcontractor, foreman or other person who violates or omits to comply with any of the foregoing provisions of this act, or who suffers or permits the use of any article or scaffolding declared under the provisions of this act by a proper officer to be defective or unsafe, or which does not comply with every provision of this act, or who destroys or defaces any notice posted in accordance with the provisions of this act, or who hinders or obstructs any officer who may be detailed to enforce its provisions, shall be punishable by a fine of not less than ten dollars (\$10) nor more than one hundred dollars (\$100) at the discretion of the court.

Penalty.

#### PROCEDURE.

All proceedings brought under the provisions of this act shall be by action of debt, to be instituted by and in the name of the Commissioner of Labor of this State, or by and in the name of the mayor or chief of police of any city or borough, the clerk or chief of police of any township or village in which the offense

Court procedure.

Summons.

Service of  
process.

shall have been committed, in any District Court of a city, recorder's court of cities, or before any justice of the peace having due jurisdiction, and the first process shall be by summons returnable in not less than five nor more than ten days, which process shall be served on the owner or owners, person or persons or any of them, owning the place or operating the business wherein the alleged violation of law has taken place; if such owner or owners, person or persons, reside in the county where the offense was committed, or if the owner or owners, person or persons as aforesaid, do not so reside in the county where the offense was committed, then said process shall be served on the superintendent, foreman or persons in charge of the business or place; service upon a corporation shall be made upon the president, vice-president, or any director, and if none of them reside in the county where the offense was committed, then service may be made upon the superintendent, foreman or person in charge of the business or place; in case the owner or owners of a building reside without the limits of the county, then service of the process may be made upon the agent in charge of said building, and if there be no such agent, then service of the process may be made by affixing a copy thereof to the main outer door of such building at least ten (10) days before the return day thereof. All proceedings thereafter shall be the same as in any action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, or one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the pay-

Proceedings.

Execution.

ment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey when prosecution is conducted by the Commissioner of Labor, and into the treasury of the city, borough, town, township or village in which the offense occurred when the prosecution is conducted by an official of such municipality.

Disposition  
of penalties.

5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealer.

Approved March 27, 1917.

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## CHAPTER 169.

An Act to amend an act entitled "An act to provide for the purification of the waters of the Passaic river within the Passaic Valley Sewerage District, prohibiting the discharge of sewage or other polluting matter into said portion of said river after a fixed date, and authorizing municipalities lying in whole or in part within the Passaic Valley Sewerage District, from the territory of which sewage or other polluting matter is or may be discharged into said portion of said river, to enter into contracts with each other and with the Passaic Valley Sewerage Commissioners for the intercepting and disposal of such sewage and other polluting matter, and to provide the necessary funds therefor," approved March eighteenth, one thousand nine hundred and seven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section one of the act to which this is an amendment, as the same was amended by chapter 208 of the laws of 1916, is hereby amended to read as follows:

Section 1  
amended.

Discharge of sewage into certain portion of Passaic river prohibited.

Enforcement of act.

Municipalities affected to be notified.

How notice served.

Wording of notice.

1. Every municipality, corporation and individual is hereby prohibited and forbidden to discharge, directly or indirectly, any sewage or other polluting matter into the waters of the Passaic river at any point between the Great Falls, in the city of Paterson, and the mouth of said river at Newark bay, or into any tributaries of the Passaic river which empty into the Passaic river between said points, after the thirty-first day of December, in the year one thousand nine hundred and eighteen; and the Passaic Valley Sewerage Commissioners are hereby authorized and empowered to enforce the provisions of this act over and throughout all municipalities which may, or the inhabitants of which may, directly or indirectly, discharge sewage or other polluting matter into the waters of the Passaic river between the points above designated, or into the tributaries aforesaid, after the said thirty-first day of December, one thousand nine hundred and eighteen.

The Passaic Valley Sewerage Commissioners are hereby authorized and directed, within thirty days after the approval of this act, to notify each municipality from which sewage or other polluting matter is or may be discharged into the said river between said points, either directly or indirectly, and the inhabitants thereof, that the discharge of sewage and other polluting matter into the waters of the said river must be discontinued on or before the thirty-first day of December, in the year one thousand nine hundred and eighteen.

Such notice shall be in writing, signed by the president and secretary of Passaic Valley Sewerage Commissioners, and shall be served upon the clerk or the equivalent officer of every such municipality, and shall be published in one of the newspapers printed and circulating in the counties of Passaic, Bergen, Hudson and Essex, for two consecutive weeks, once in each week, such public notice to be in the following form:

"To whom it may concern: Public notice is hereby given that the discharge of sewage and other polluting matter into the waters of the Passaic river at any point between the Great Falls, at the city of Paterson, and Newark bay, and into the tributaries of said river

emptying therein between said points is prohibited, and must cease and be discontinued after December thirty-first, in the year one thousand nine hundred and eighteen."

The Passaic Valley Sewerage Commissioners are further authorized and empowered to institute in their corporate name suits at law or in equity as may be deemed necessary, or appropriate to enforce the provisions of this section of the act after said thirty-first day of December, in the year one thousand nine hundred and eighteen; and the Court of Chancery of this State is hereby vested with special jurisdiction to enforce the provisions of this section of this act in a summary manner upon application of the Passaic Valley Sewerage Commissioners.

Bringing suits.

Court of chancery vested with jurisdiction.

2. Section six of the act to which this is an amendment is hereby amended to read as follows:

Section 6 amended.

6. For the purpose of defraying the cost and expense of the construction of such intercepting sewer or sewers, plant and works, and appurtenances, and of making the payments which shall be designated and required to be made by such joint contract, the governing body or board in charge of the finances of each contracting municipality is hereby authorized and empowered to borrow the money necessary to make such payments upon the notes or other temporary obligations of such municipality, which notes or obligations may be renewed from time to time until permanent bonds shall have been issued by such municipality to take up and pay for the same.

Temporary obligations to meet expenses.

And each contracting municipality shall have the power and is hereby authorized, from time to time, to issue its bonds for the purpose of raising money necessary to pay its notes or other temporary obligations, including interest, issued and outstanding for the purpose hereinbefore stated, or to make any of the payments required by the said contract, which said bonds shall be in such amounts and bear interest at such rate, not exceeding six per centum per annum, and shall be payable at such time and place as the governing body or

Bond issue.

Amount.  
Rate.

board having charge of the finances of such municipality shall by resolution, duly adopted, determine.

Limit of indebtedness.

The total amount of indebtedness incurred and of bonds issued by any municipality under the authority of any section of this act, or of any of the acts supplemental to or amendatory hereof, shall not exceed five per centum of the tax ratables within such municipality, as shown by its official books of the last assessment for taxes therein, but said indebtedness and bonds shall be held to be authorized in addition to the amount of indebtedness and bonds fixed by the charter or any general act as a limitation beyond which such municipality may not incur indebtedness or issue bonds, and said indebtedness and bonds authorized by this act shall not be taken to be included within or governed by any such limitation; nor shall the method of issuing bonds authorized under this act be governed or determined by any provisions of any other special or general act.

Not limited by charter.

3. This act shall take effect immediately.

Approved March 27, 1917.

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## CHAPTER 170.

A Further Supplement to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Review of proceedings on petition.

1. In the event of any municipal board or body or any public officer, official or employee violating any of the provisions of this act, or the acts to which this



act is a supplement, in the matter of selecting persons for employment, or in the designation of any employee for the appointment, or in the removal, fine or reduction of employees from office, any citizen of the State may cause a summary review to be had of such illegal or unlawful action by presenting a petition to the Civil Service Commission setting forth the particulars in which it is claimed the provisions of said act have been violated, which petition shall be verified by affidavit. Upon the filing of such a petition with its secretary, said commission shall issue an order directed to the members of the municipal board or body so offending, or to the public official, officer or employee so offending, directing them or him, as the case may be, to appear before said commission at such reasonable time as said commission shall, in said order, fix, and lay before it the reasons for the action so as aforesaid complained of in said petition as unlawful; that said commission shall give a hearing and investigate said action and the reasons therefor and determine whether or not said action of such municipal board, body, public official, officer or employee should be set aside under the circumstances presented. At such hearing witnesses may be sworn and any of the parties to the proceedings may be represented by counsel. Said commissions shall have the power to compel the attendance of witnesses by subpoena, issued at the request of any of the parties to said proceeding. Upon the conclusion of said hearing said Civil Service Commission shall make such determination and order as the circumstances may require, and may order the reinstatement of any officer or employee found by it to have been removed in violation of the provisions of the act to which this act is a supplement, and may vacate any order of fine or reduction made in violation of the provisions of this act. Any such order of reinstatement or vacation of order shall be filed with the secretary of said Civil Service Commission and a certified copy thereof shall be served upon either the presiding officer or the clerk of any municipal board or body to be affected thereby, or upon the public official, officer or employee to be affected

Order to  
board or officer  
offending.

Hearing.

Witnesses.

Subpoenas.

Determination  
and order.

Order filed  
and copy  
served.

Failure to  
comply.

thereby when no municipal board or collective body having a presiding officer or clerk is affected thereby. The person or persons to whom said order is directed shall forthwith proceed to comply with the terms and provisions thereof, and any failure or neglect to properly satisfy or meet the requirements of said order shall be subject to all the remedies and penalties now provided by law for refusal or failure of public bodies or public officers and employees to do an act required of them by law.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 171.

An Act to amend an act entitled "An act concerning savings banks," approved May second, one thousand nine hundred and six.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 33  
amended.

1. Section thirty-three of the act to which this act is an amendment is hereby amended to read as follows:

Legal invest-  
ments:

33. No savings bank shall invest the moneys deposited with the same in any manner except as follows, to wit:

U. S. securi-  
ties;

I. In stocks or bonds or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof;

State bonds;

II. In the interest-bearing bonds of this State, or in any bonds authorized by the laws of this State, to be issued by any commission appointed by the Supreme Court of this State, by virtue of any law of this State;

Bonds of  
foreign states;

III. In the bonds of any State in the Union that has not, within ten years previous to making such investment

by any such bank, defaulted in the payment of any part of either principal or interest in any debt authorized by any law of such State to be contracted;

IV. In the bonds of any county, township, municipality or school district of this State issued pursuant to the authority of any law of this State; *provided*, such county, township, municipality or school district shall not, within the five years next preceding, have defaulted in the payment of any part of either principal or interest of any legal debt or obligation thereof; *and provided, further*, the total indebtedness of any borough or village does not exceed ten per centum of its assessed valuation, and such school district bonds are by law charged upon all the property of the inhabitants of such district; or in any interest-bearing obligation issued by the county in which such bank is situated, or by any city, town, township, borough or village in such county;

Municipal  
bonds;

Proviso.

Proviso.

V. In the bonds of any city or county of any other State of the Union issued pursuant to the authority of any law of any such State; *provided*, no such city or county has, within ten years previous to making such investment, defaulted in the payment of any part of either principal or interest of any debt authorized by law of such State to be contracted; *and provided, further*, the total indebtedness of any such city or county is limited by law to ten per centum of its assessed valuation;

City or county  
bonds of other  
states;

Proviso.

Proviso.

VI. In first mortgage bonds issued, guaranteed or assumed by any railroad company, which has paid dividends of not less than four per centum per annum regularly on its entire capital stock for a period of not less than five years next previous to the purchase of such bonds, or in any consolidated mortgage bonds issued, guaranteed or assumed by any such company, authorized to be issued to retire the entire bonded debt of the issuing company; or in the bonds of any railway terminal or dock company of this State, secured by first mortgage on terminal or dock property fronting on the Hudson river and having an assessed value for the purpose of taxation in excess of the amount of the

Railroad  
bonds;

Dock com-  
panies;

entire issue of bonds, and used and occupied as a dock or terminal by any railroad company now operating in this State;

Bond and mortgage:

VII. In bonds secured by mortgages, which shall be a first lien on real estate situate in this State, and worth at least double the amount loaned thereon, but not to exceed eighty per centum of the whole deposits, shall be so loaned or invested; but in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than thirty per centum of its actual value; and no investment in any bond and mortgage shall be made by any savings banks, except upon the report of a committee of at least three of the managers, and two members of which committee shall certify in writing to the value of the premises mortgaged, or to be mortgaged, according to their best judgment; such report shall be filed and preserved among the records of the bank;

Committee to certify to value.

Real estate:

VIII. In real estate strictly in accordance with the following provisions:

Bank building:

(a) A plot whereon is erected, or may be erected, a building or buildings requisite for the convenient transaction of its business, and from portions of which not required for its own use, a revenue may be derived; the costs of such building or buildings and lot shall in no case exceed fifty per centum of the net surplus of such bank, except with the written approval of the Commissioner of Banking and Insurance; *provided*, the limitations as to the cost of such lot and building contained in this subdivision shall not apply to or affect any such investment heretofore made by a savings bank organized under a special charter;

Proviso.

Property acquired by foreclosure.

(b) Such as shall have been purchased or acquired by it at sales upon the foreclosure of mortgages owned by such corporation, or upon judgments or decrees obtained or rendered for debts due to it, or in settlements effected to secure such debts, or in satisfaction of such mortgages; and all such real estate shall be sold by such bank within five years after the same shall have been so purchased, unless, upon application by such corporation to the Commissioner of Banking and In-

Sale within five years.

surance, he shall extend the time within which such sale shall be made; the provisions of this section shall apply to all funds of any savings bank, including its reserve fund, and all investments of money and sales and transfers of securities may be made in the manner provided and made lawful in this act, notwithstanding any provision in any special charter contained limiting the number of trustees or managers who shall act in the investment of moneys and the sale or transfer of stocks or securities.

Provision  
applies to all  
funds.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 172.

An Act to amend an act entitled "An act concerning tuberculosis," approved March twenty-eighth, one thousand nine hundred and twelve.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. That section four (4) of the act of which this is an amendment shall be and the same is hereby amended to read as follows:

Section 4  
amended.

4. The superintendent shall be the chief executive officer of the hospital, and subject to the by-laws, rules and regulations thereof, and to the powers of the board of managers.

The super-  
intendent.

Shall, with the consent of the board of managers, equip the hospital with all necessary furniture, appliances, fixtures and other needed facilities for the care and treatment of patients, and for the use of officers and employees thereof, and shall purchase all necessary supplies.

Equip hospital.

Shall have general supervision and control of the records, accounts and buildings of the hospital, and all internal affairs, and maintain discipline therein, and

General super-  
vision.

**Rules and regulations.**

enforce compliance with and obedience to all rules, by-laws and regulations adopted by the board of managers for the government, discipline and management of said hospital and the employees and inmates thereof. He shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law or with the rules, regulations and directions of the board of managers.

**Resident officers and employees.**

Shall, with the consent of the board of managers, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties; and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

**Accounts and records kept.**

Shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in books and on records provided for that purpose; and see that such accounts and records are correctly made up for the annual report to the board of freeholders, as required by section three of this chapter, and present the same to the board of managers, who shall incorporate them in their report to the said supervisors.

**Receive applicants.**

Shall receive into the hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering from tuberculosis in any form, who has a legal settlement in the county, or who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission to said hospital, or any person who may be committed to said hospital by an order of any judge of the Court of Common Pleas. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation and place of past employment.

**Record of admissions.****Physical condition of patients.**

Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital, and provide for the treatment of each such patient according to his need; and shall cause a record to be

kept of the condition of each patient when admitted and from time to time thereafter.

Shall temporarily discharge from said hospital any patient who shall wilfully or habitually violate the rules thereof; or who is found not to have tuberculosis; or who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers; who shall make such final disposition of the case as they may think proper.

Discharge  
certain in-  
mates.

Shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at monthly meeting of the board of managers, and transmit the same to the county collector within ten days after such meeting.

Financial  
matters.

Shall, before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine to secure the faithful performance of such duties.

Bond given.

2. That section five (5) of the act of which this is an amendment shall be and the same is hereby amended to read as follows:

Section 5  
amended.

5. Any resident of the county in which the hospital is situated desiring treatment in such hospital may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he find that said person is suffering from tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such applications shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable, applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If upon personal examination of such patient, or of any patient applying

Application  
for admission.

Examination  
of applicant.

in person for admission, the superintendent and board of managers are satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book, to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services; *provided, however,* that the said board of managers, with the consent of the board of chosen freeholders, may set apart a building, or portion of a building, for the care of patients suffering from tuberculosis who are able to pay a sum in excess of the actual cost of their maintenance; and the said board of managers are authorized to fix a sum for the care and maintenance of said patients, which patients shall be known as private patients; *provided, further,* that the standard of care and maintenance for indigent patients shall be the standard usually maintained, and that no private patient shall be admitted to or retained in the hospital to the exclusion of any indigent patient properly admissible.

Ability to pay.

Admission in order of application.

No discrimination.

Gratuities forbidden.

Proviso; private patients.

Proviso.



3. That section eleven (11) of the act of which this is an amendment shall be and the same is hereby amended to read as follows:

Section 11  
amended.

11. If any person fails to obey any of said rules or regulations, or is an actual menace to the community, the said person may be committed to the county hospital by any judge of the Court of Common Pleas upon proof of service upon said person of said rules and regulations and proof of violation thereafter, or upon proof by any health officer of the municipality in which said person may reside that said person is suffering from tuberculosis, and is an actual menace to the community. Two (2) days' notice of the time and place of hearing shall in all cases be served upon the person to be committed. Proof of such service shall be made at the hearing. The court may also make such order for the payment for care and treatment as may be proper. After commitment such person may be discharged by the said court at any time when said court thinks it proper to do so.

Commitment  
for failure to  
observe rules  
of local board.

4. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 173.

A Further Supplement to an act entitled "An act to regulate the practice of courts of law" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three.

• BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. All warrants for the cancellation or satisfaction of any judgment, mechanics' lien claim or receipt of a mechanics' lien claim, discharge of bonds, or any other discharge hereafter filed in any county clerk's office in

Book and  
page of record  
to be given  
before cancel-  
lation of judg-  
ments, etc.

this State, in addition to the other requirements of this act, shall have inserted therein the book and page where such original judgment record or mechanics' lien claim record, or record of bond, is recorded, and all receipts of mechanics' liens and cancellation or discharges of mechanics' liens, in addition to the other requirements of this act, shall also have inserted therein a description of the property affected by such mechanics' lien, and the county clerks of the several counties of this State may refuse to cancel or satisfy any judgment, mechanics' lien claim or bond unless such book and page of record is inserted in the warrant for the cancellation or satisfaction of such judgment or mechanics' lien claims or bond, and may refuse to file any receipt of a mechanics' lien claim, or to cancel or satisfy any mechanics' lien claim, unless the description of the property affected by such mechanics' lien is inserted in the receipt or cancellation of such lien.

2. This act shall take effect immediately.

Approved March 27, 1917.

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## CHAPTER 174.

An Act to amend an act entitled "An act concerning the insane; providing for their commitment to hospitals for the insane and their confinement therein, including care, treatment and support (Revision of 1916)," approved March sixteenth, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 6  
amended.

1. Section six of the act to which this is an amendment be and the same is hereby amended so as to read as follows:

6. In all counties in this State where the county counsel, county solicitor, county clerk, county physician or county probation officer or any of their assistants, professional or otherwise, is now in charge and supervision of the preparation of papers relating to the commitment of the insane in any county, such person shall be known as commissioner in lunacy, such duties to pertain to the office of such county counsel, county solicitor, county clerk, county physician or county probation officer or their successors in office, and in all other counties the judge of the Court of Common Pleas, with the consent of the board of chosen freeholders, shall designate some county official or employee as commissioner in lunacy for such county. Such commissioner in lunacy holding such designation under either of the methods herein provided, in addition to the performance of his regular duties, shall have charge and supervision of the preparation of papers relating to the commitment of the insane in such county, and in cases arising in other counties in which the legal settlement appears to be in such county, and the classification and requirements of such official or employee under the laws and rules concerning civil service, shall not be affected in any way by reason of such designation or additional duties as commissioner in lunacy, and additional compensation, if any, for such services as commissioner in lunacy as aforesaid, may be fixed by the board of chosen freeholders and paid in the same manner as the other county employees are paid. It shall be the duty of the boards of chosen freeholders of all counties to notify the various institutions for the insane of the name and address of such commissioner in lunacy.

Commissioner  
in lunacy.

Duties.

Compensation.

Address.

2. Section thirteen of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Section 13  
amended.

13. On the day fixed for the final hearing the applicant shall bring the matter before the judicial officer and shall produce before such judicial officer in all cases coming under class A the original application and certificates and any other papers pertinent to the in-

Action at  
final hearing.

quity, and in all cases coming under class B and class C the commissioner in lunacy shall produce certified copies of the application, certificates and order of temporary commitment and any other papers pertinent to the inquiry, and such judicial officer shall thereupon hear the matter in a summary way and determine the case as herein provided. He shall be authorized to hear and determine the matter without a jury, or in his discretion to call a jury to determine the question of the sanity of such patient and shall have power to compel the attendance of witnesses from any part of the State of New Jersey, and also the attendance of jurors and the production of the patient either in court or at the place where the patient may be, and direct to be produced the original application and certificates and any other papers or documents. The judicial officer is authorized to continue such final hearing in open court from time to time as may be necessary, and such continuance shall be endorsed on the application for commitment or on the certified copy as aforesaid, which continuance shall be sufficient warrant and authority for the detention of such patient for such period; *provided, however*, that the aggregate period of such continuances shall not exceed three months from the date originally fixed for the final hearing. Such judicial officer shall also have power to order the taking and transcribing of the testimony adduced at such hearing, the expense of which shall be paid by the board of chosen freeholders of such county in the same manner as other court expenses are paid. Such judicial officer may refer the matters of the examination of witnesses to the commissioner in lunacy of such county for the use of such judicial officer, and such commissioner is hereby authorized and empowered to administer oaths or affirmations for this purpose, and additional compensation for the examination of witnesses by such commissioner may be fixed by such judicial officer, subject to the approval of the board of chosen freeholders and paid to such commissioner in the same manner as compensation is paid to other county employees.

Hearing and determination.

Continuation of hearing.

Proviso.

Testimony.

Additional compensation.

3. Section sixteen of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Section 16  
amended.

16. If on final hearing said judicial officer shall determine that said patient is insane and indigent, and appears to have a legal settlement in a county in this State other than the one in which said final hearing shall be held, he shall adjourn said inquiry for two weeks and cause notice to be given to the board of chosen freeholders of the county in which said patient appears to have a legal settlement, which notice shall be mailed to the commissioner in lunacy of said county or to the clerk of such board, if no commissioner shall have been designated in such county, at least one week before the date of said adjourned inquiry, and such inquiry shall not be had nor final determination made in the case of such patient except upon proof being made that such notice has been mailed as herein required.

If residence  
in another  
county.

Authorities  
notified.

4. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 27, 1917.

## CHAPTER 175.

An Act concerning monuments, statues, tablets and public drinking fountains heretofore or hereafter erected or constructed in any county, city, borough, town, township or village in this State.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. When any individual corporation, association or other organization has offered or hereafter may offer to any county, city, borough, town, township or village in this State, any monument, statue, tablet or public

Acceptance  
of monument,  
statue, foun-  
tain, etc.

drinking fountain which shall have been heretofore erected or constructed by any such individual, corporation, association or other organization, within the bounds of any public street, road or highway located within any such municipality, or has offered or hereafter may offer to any such municipality, to provide or erect any monument, statue, tablet or public drinking fountain, upon condition that said municipality shall provide a site for the location thereof, it shall be lawful for the governing body of any such municipality, by resolution adopted by a majority vote, to accept on behalf of such municipality any such monument, statue, tablet or public drinking fountain heretofore erected or constructed within the bounds of any such public street, road or highway as aforesaid; and, if the same shall not have been already erected or constructed, then to accept any such offer as aforesaid, to provide for the erection and construction thereof, which said site may be within the bounds of any public street, road or highway of such municipality; and that upon the acceptance of any monument, statue, tablet or public drinking fountain heretofore erected within the boundaries of any public street, road or highway of such municipality as aforesaid, or for the erection and construction of which permission shall have been heretofore or hereafter granted, that then and in such case such monument, statue, tablet or public drinking fountain, if already constructed, or, if not completed, then as soon as the same shall be completed, shall become and be considered the property of such municipality, and thereby dedicated to the public use.

Site provided.

On completion becomes property of municipality.

2. This act shall take effect immediately.  
Approved March 27, 1917.

## CHAPTER 176.

An Act to supplement and amend an act entitled "An act regulating the age, employment, safety, health and the work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section thirty-one of the act which this act amends is hereby amended to read as follows:

Section 31  
amended.

## SWEAT SHOPS.

No room or rooms, apartment or apartments, in any tenement or dwelling-house, or in a building situated immediately in the rear of any apartment, tenement or dwelling-house shall be used for the purpose of manufacturing, altering, repairing or finishing therein, for wages or for sale, any articles whatsoever unless a license is secured therefor, as provided in this act.

License to  
manufacture  
in dwelling  
or building in  
the rear.

Application for such a license shall be made to the Commissioner of Labor by any family or a member thereof, or any person, firm or corporation desiring to manufacture, alter, repair or finish any such articles in any room or apartment in any tenement or dwelling-house or by any person, firm or corporation desiring to perform such work in any building in the rear of any tenement or dwelling-house. Each license shall run continuously for a period of six months, whereupon a new or further license must be obtained. Each application for such a license shall describe the room or apartment, shall specify the number of persons to be em-

Application  
for license.

Six months'  
license.

What applica-  
tion to show.

Inspection before granting license.	employed therein and shall be in such form as the Commissioner of Labor may determine. Blank applications shall be prepared and furnished by the Commissioner of Labor. Before any such license is granted an inspection of the room, apartment or building sought to be licensed shall be made by the Commissioner of Labor, factory inspector or in the discretion of the Commissioner of Labor by any local board of health or its inspector or inspectors. If the Commissioner of Labor or such inspectors as herein provided for ascertain that such room, apartment or building is in a clean and proper sanitary condition, and that the articles specified in this section may be manufactured therein under clean and healthful conditions, he shall grant a license permitting the use of such room, apartment or building for the purpose of manufacturing, altering, repairing or finishing such articles. Each license shall state the maximum number of persons who may be employed in the room or rooms to which such license relates. The number of persons to be so employed shall be determined by the number of cubic feet of air space contained in each room or apartment mentioned in such license, allowing not less than two hundred and fifty cubic feet for each person employed between the hours of six o'clock in the morning and six o'clock in the evening, unless by special written permit of the Commissioner of Labor, and not less than four hundred cubic feet for each person employed therein between the hours of six in the evening and six in the morning, but no such permit shall be issued unless such room or apartment has suitable light at all times during such hours as such persons are employed therein.
When granted.	
Number in room; how determined.	
License posted.	Such license must be posted in a conspicuous place in the room or apartment to which it relates. It may
Revocation.	be revoked by the Commissioner of Labor if the health of the community or of the employees requires it, of if it appears that the rooms or apartments to which such license relates are not in a healthy and proper sanitary condition. Every room or apartment in which any of the articles named in this section
Place kept in sanitary condition.	



are manufactured, altered, repaired or finished shall be kept in a clean and sanitary condition and shall be subject to examination and inspection by the Commissioner of Labor, factory inspectors or local boards of health for the purpose of ascertaining whether said garments or articles, or any part or parts thereof, are clean and free from vermin and every matter of infectious or contagious nature.

If the Commissioner of Labor, factory inspector or local board of health shall find evidence of infectious or contagious diseases present in any workshop, or in goods manufactured or in process of manufacture therein if the Commissioner of Labor, factory inspector or local board of health shall issue such orders as the public health may require and shall condemn and destroy such infectious and contagious articles.

Destroy articles on finding contagious disease.

31a. No person, firm or corporation shall hire, employ or contract with any member of a family, or any person, firm or corporation not holding a license therefor, to manufacture, alter, repair or finish any articles whatsoever in any room or apartment in any tenement or dwelling or any room or apartment in any building situated in the rear of a tenement or dwelling-house as aforesaid, and no person, firm or corporation shall receive, handle or convey to others or sell, hold in stock or expose for sale any articles whatsoever unless made under the sanitary conditions and in accordance with this act. This act shall not prevent, however, the employment of a tailor or seamstress by any person or family for the purpose of making, altering, repairing or finishing any articles of wearing apparel for such person or for family use, and shall not prevent such employment by women's exchanges or philanthropic associations not organized for pecuniary profit.

Not employ parties unlicensed.

Pertaining solely to family.

2. Section thirty-two of this act to which this act is an amendment shall be and the same is hereby amended so as to read as follows:

Section 32 amended.

Any person, firm or corporation being the owner, lessee or occupant of the place, or places to which the preceding sections or any part thereof relate, shall, for the violation of any of the provisions therein, be liable

Penalty for violating preceding sections.

## CHAPTERS 176, 177 &amp; 178, LAWS OF 1917.

to a penalty of fifty dollars for the first offense and one hundred dollars for each succeeding offense.

Approved March 27, 1917.

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 CHAPTER 177.

An Act to change the name of Abraham Sterenberg.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Change of  
name

1. The name of Abraham Sterenberg, of the borough of Vineland, in the county of Cumberland and State of New Jersey, be and the same hereby is changed to Abraham Stern.

2. This act shall take effect immediately.

Approved March 27, 1917.

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 CHAPTER 178.

An Act concerning the compulsory insurance of compensation payments arising under section two of the act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Name of act.

1. This act shall be known as the Workmen's Compensation Insurance Act.

## ARTICLE I.

2. Any employer, except the State or a municipality, or county or school district, who by agreement, express or implied, is now or hereafter becomes subject to the provisions of section two of an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven, and the amendments thereof and supplements thereto, hereinafter referred to as the Workmen's Compensation Act, as therein provided, shall forthwith make sufficient provision for the complete payment of any obligation which he may incur to any injured employee or his dependents under the provisions of section two of said Workmen's Compensation Act, by one of the following methods, as hereinafter set forth in sections three and four of this act; and he shall, upon demand, file with the Commissioner of Banking and Insurance proof in such forms as hereinafter set forth. Any corporation, firm, or person, refusing or failing to comply shall, for each offense, be liable to a penalty of fifty dollars, to be recovered in an action of debt, brought by the Commissioner of Banking and Insurance, in the name of the State of New Jersey. Each failure to comply shall be regarded as a separate offense.

Employers to make provision for payment of obligation to injured employee.

Penalty for not complying.

3. Providing the employer can reasonably satisfy the Commissioner of Banking and Insurance as to the permanence and financial standing of his business, he may carry his own liability insurance. An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the Commissioner of Banking and Insurance showing his financial ability to pay such compensation, whereupon the Commissioner of Banking and Insurance, if satisfied of the applicant's financial ability, shall by written order make such exemption. The Commissioner of Banking and Insurance may, from time

Carry own insurance.

Exemption.

Statements required.

to time, require further statements of the financial ability of such employer, and, if at any time in the opinion of the Commissioner of Banking and Insurance such employer appear no longer able to pay compensation, the commissioner shall revoke his order granting exemption; in which case the employer shall immediately insure his liability in a mutual association or other insurance company. Any employer providing insurance according to the provisions of this section may, for his own protection, reinsure the whole or any part of his risk. Such contract of insurance shall operate only between the employer and his insurance carrier, and shall not be subject to any of the provisions of this act.

Employer may reinsure whole or part of risk.

Insurance in stock or mutual company.

Notice filed by company.

4. Every employer not operating under section three of this act as hereinbefore set forth shall insure and keep insured his liability in any stock company or mutual association authorized to engage in workmen's compensation or employer's liability insurance in this State. If insurance be affected by either method mentioned in this section, said insurance company or mutual association shall file with the Commissioner of Banking and Insurance a notice setting forth the name of such insurance company, its principal office in this State, together with a copy of the policy of insurance and copies of all endorsements attached and such other data in relation thereto as the Commissioner of Banking and Insurance may require.

Penalty for failure to provide protection prescribed.

5. Any employer who shall fail to provide the protection prescribed in this act within ninety days after it becomes effective shall be liable to a fine of not more than one dollar for each of his employees per day, not to exceed one hundred dollars per day for the period such failure shall continue, recoverable by the Commissioner of Banking and Insurance in the name of the State of New Jersey, in an action of debt.

Notices of insurance posted.

6. Every employer who has complied with the provisions of this act shall post and maintain in a conspicuous place or places in and about his place or places of business, typewritten or printed notices stating the fact that he has secured the payment of compensation to his employees and their dependents in accordance

with the provisions of this act, and shall name the company or companies insuring his liability, or shall state the fact that the employer has qualified before the Commissioner of Banking and Insurance for the carrying of his own liability.

7. No contract of insurance issued by a stock company or mutual association against liability arising under the said Workmen's Compensation Act shall be canceled within the time limited in such contract for its expiration, until at least ten days after notice of cancellation of such contract on a date specified in such notice shall be filed in the office of the Commissioner of Banking and Insurance, and also served on the employers. Such notice shall be served on the employer by delivering it to him or sending it by registered letter, addressed to the employer at his or its last known place of business; *provided*, that if the employer be a partnership, then such notice may be so given to any one of the partners, and if the employer be a corporation, then the notice may be given to the agent or any officer of the corporation upon whom legal process may be served.

Cancellation  
of contract.

Service of  
notice.

Proviso.

8. An employer securing the payment of compensation by any of the methods prescribed in section four of this act notwithstanding, shall be liable primarily for the payment of proper compensation for personal injuries or death sustained by his employees. The employer shall have recourse for the amount thereof against his insurance carrier. But the insurance carrier shall be directly liable to the injured employee, or his dependents, in event of the death, insolvency, bankruptcy or other proceedings, as a result of which the conduct of the employer's business may be and continue to be in the charge of an executor, administrator, receiver, trustee or assignee.

Liability for  
injuries or  
death.

Company di-  
rectly liable.

Continuation  
of employer's  
business.

9. Every contract of insurance covering the liability of an employer for compensation to injured employees or their dependents, under the provisions of section two of the said Workmen's Compensation Act, hereafter written by a stock company or a mutual association, shall provide, or be construed to provide, that it is made for the benefit of the several employees of the insured

Contract made  
for benefit of  
employees.

employer and their dependents, and that such contract may be enforced by any of such employees or their dependents, suing thereon in his or their names as though distinctly made party thereto.

Enforcement  
of provisions.

10. Every such contract shall further provide, or be construed to provide, that any injured employee or his dependents may enforce the provisions thereof to his or their benefit, either by agreement with the employer and the insurance carrier, in event that compensation be settled by agreement, or by joining the insurance carrier with the employer in his petition filed for the purpose of enforcing his claim for compensation; or by subsequent application to the Court of Common Pleas, upon the failure of the employer, for any reason, to make adequate and continuous compensation payments.

Knowledge of  
injury.

11. Every such contract shall provide, or be construed to provide, that, as between the employee and the insurance carrier, the notice to or knowledge of the occurrence of the injury on the part of the employer shall be deemed notice or knowledge, as the case may be, on the part of the insurance carrier; that jurisdiction of the employer shall, for the purpose of this act, be jurisdiction of the insurance carrier, and that the insurance carrier shall in all things be bound by and subject to the orders, findings, decisions or awards rendered against the employer for the payment of compensation.

Jurisdiction.

On death, etc.,  
of employer,  
insurance car-  
rier directly  
liable.

12. Every such contract shall provide, or be construed to provide, that, upon the death, insolvency or bankruptcy of the insured employer, or upon his assignment for the benefit of creditors, the insurance carrier shall immediately become directly liable for all compensation payments due to any injured employee or his dependents by virtue of prior agreement or award until completion thereof, or that may thereafter become due during the period for which the requisite premiums have been paid by such employer.

Does not apply  
to self-insur-  
ance.

13. Nothing herein contained shall be held to apply to a contract for insurance between an insurance carrier and an employer who has provided self-insurance.

No limitation  
of liability.

14. No policy of insurance against liability arising under this act shall contain any limitations of the lia-

bility of the insurer to an amount less than that payable by the insured on account of the risk insured against under this act, nor shall any such policy contain any limitation of the total liability of the insurer because of injuries to two or more persons in a single accident, nor shall any such policy of insurance or any endorsement thereon insure the employer against any liability whatsoever other than liability arising under this act, nor shall any actions be maintained for the collection of premiums on any policy violating this act; but a policy may be issued to an employer insuring him against his liability under this act upon any particular business, plant, or employment carried on by him, provided that all other businesses, plans, or employments carried on by the same employer are insured or exempted as provided for in this act.

Insurance  
against lia-  
bility..

All plants in-  
cluded in act.

15. Every insurance company or mutual association which insures employers against liability for compensation under this act shall file with the Commissioner of Banking and Insurance its classifications of risks and premiums and rules pertaining thereto, together with the basis rate and system of merit or schedule rating, which system of merit or schedule rating shall be applied as hereinafter provided. Neither classifications nor risks, rules pertaining thereto, basis rates, nor system of merit or schedule rating shall take effect until the Commissioner of Banking and Insurance shall have approved the classifications, rules, basis rates, and system of merit or schedule rating, as reasonable and adequate for the risks to which they respectively apply. The Commissioner of Banking and Insurance may withdraw his approval of any classification, rule, basis rate, or system of merit or schedule rating if he shall find that such classification, rule, rate or system of merit or schedule rating is unreasonable or inadequate for the risk to which they respectively apply. To secure the impartial application of the approved classifications, rules, rates, or system of merit or schedule rating, the Commissioner of Banking and Insurance is hereby authorized to create, organize, and supervise such rate, and inspection bureau or bureaus with such jurisdiction

Companies to  
file classifica-  
tion of risks,  
etc.

Approval by  
commissioner  
of insurance  
necessary.

Withdrawal  
of approval.

Inspection  
bureaus.

- Renewals.** under his supervision as hereinafter provided. No insurance company or mutual association writing workmen's compensation or employer's liability insurance in this State under this act shall issue, renew, or carry any insurance for compensation under this act, except in accordance with the classifications, rules, basis rates, and system of merit or schedule rating approved by the Commissioner of Banking and Insurance as aforesaid and applied by the rating and inspection bureau or bureaus; *provided, however*, that any departure from the basis rate filed with and approved by the Commissioner of Banking and Insurance on account of the application of a system of merit or schedule rating approved by the Commissioner of Banking and Insurance shall be clearly set forth in the insurance contract or endorsements attached thereto.
- Proviso.**

## ARTICLE II.

Bureau of compensation rating and inspection created.

Objects:

To maintain rules and rates;

To adopt means for audit of pay-rolls;

To furnish employers ratings, and offer reduced rates for lessened accidents.

1. There is hereby created under the supervision of the Commissioner of Banking and Insurance, in order to carry out the purposes of this act, a bureau to be known as the Compensation Rating and Inspection Bureau of New Jersey, with the following objects, functions and sources of income:

(A) To maintain rules, regulations and premium rates for workmen's compensation insurance and equitably adjust the same, as far as practicable, to the hazard of individual risks, by inspection by the bureau.

(B) To adopt means for assuring uniform and accurate audit of pay rolls on policies by pay-roll auditors, appointed by the bureau under the supervision of the Compensation Rating and Inspection Bureau of New Jersey, with the approval of the Commissioner of Banking and Insurance.

(C) To furnish upon request of any employer in the State of New Jersey or to any member of the Compensation Rating and Inspection Bureau of New Jersey, upon whose risk a compensation rate has been promulgated, information as to such rating, including the method of its computation, and to encourage employers



to reduce the number and severity of accidents by offering reduced premium rates for improved working conditions under such uniform system of merit or schedule rating as may be approved by the Commissioner of Banking and Insurance of the State of New Jersey.

2. Before the Commissioner of Banking and Insurance shall grant permission to any mutual association or stock company to write compensation or liability insurance in this State, it shall be a requisite that they shall become members of the Compensation Rating and Inspection Bureau of New Jersey.

Insurance companies must be members of bureau.

(A) Each member of the Compensation Rating and Inspection Bureau writing the workmen's compensation or liability insurance in the State of New Jersey shall, as a requisite thereto, be represented in the aforesaid bureau and shall be entitled to one representative and one vote in the administration of the affairs of the bureau.

Representative.

(B) The bureau when created shall adopt such rules and regulations for its procedure and provide such income as may be necessary for its maintenance and operation.

Rules and regulations.

(C) The Commissioner of Banking and Insurance of the State of New Jersey shall appoint a special deputy to be ex officio chairman of the Compensation Rating and Inspection Bureau of New Jersey; in his absence or inability to serve, such further person as designated by the Commissioner of Banking and Insurance shall preside in his stead.

Special deputy.

(D) All officers, members of committees and employees of the Compensation Rating and Inspection Bureau of New Jersey shall be subject to the approval and ratification of the Commissioner of Banking and Insurance.

All subject to approval.

3. In order to carry into effect the object of this act, the Commissioner of Banking and Insurance is authorized to employ an actuary and such additional assistance in his department as is necessary, and to fix their compensation, and the Commissioner of Banking and Insurance is hereby authorized to compel the production of all books, data, papers, and records relating to, or

Actuary and additional assistants in insurance department.

Actuary to  
compile sta-  
tistics.

bearing upon such data as is necessary for the actuary to compile statistics for the purpose of determining the pure cost of workmen's compensation insurance in New Jersey, and this information shall be available and for the use of the Compensation Rating and Inspection Bureau for the compilation and promulgation of rates for workmen's compensation insurance.

Exceptions to  
act.

4. If and when any class or classes of employers or employees shall be excepted from the provisions of section two of the Workmen's Compensation Act by an act of the Legislature, prepared for that purpose from the date when such acts shall become effective, such employers as may be thereby excepted shall thereupon and from thence forward, by this provision of this act, be likewise excepted from the provisions hereof.

Farm and  
domestic help  
excepted.

5. Nothing in this act contained shall apply to any employer of farm laborers or domestic servants.

As to constitu-  
tionality.

6. If any part of this act be adjudged unconstitutional, it shall not invalidate the remainder of this act.

Repealer.

7. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect July fourth, nineteen hundred and seventeen.

Act effective.

Approved March 27, 1917.

## CHAPTER 179.

An Act to amend an act entitled "An act to provide for the destruction of foxes, and the payment of premiums therefor," approved April third, one thousand nine hundred and two.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Section 3  
amended.

I. Section three of the act of which this act is amendatory be and the same is hereby amended so as to read as follows:

3. Upon the destruction of said ears, said officer shall give to the person producing such animal or pelt, a certificate of compliance with the provisions of this act, directed to the board of chosen freeholders of the county in which such animal was slain, which certificate shall contain the following facts: The kind of animal and when, where and by whom killed, and the date, by whom and in the presence of what qualified voter the ears of such animal were destroyed; and the residences of the person killing said animal and of said voter, and, upon production and surrender of such certificate, the said board shall pay out of the county funds to the person killing said animal the sum of three dollars; and it shall be the further duty of said officer taking the affidavit provided for in the second section of this act, to file the same forthwith, or cause the same to be filed in the office of the county collector of the county; and upon filing the same the said officer shall receive from the funds of the county the sum of fifty cents in full for all his services under this act.

Certificate of compliance.

What to set out.

Payment.

Filed with county collector.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 180.

A Supplement to "An act to provide for the recovery of damages in cases where the death of a person is caused by wrongful act, neglect or default," approved March third, one thousand eight hundred and forty-eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Every action, proceeding or claim brought, instituted or made under and by virtue of the remedy given by the act to which this is a supplement shall be brought,

Action in name of administrator or executor.

Distribution  
of amount  
recovered.

Jury award  
of damages.

Proviso.

Proviso.

Proviso.

Payment in  
settlement to  
general ad-  
ministrator.

instituted or made in the name of an administrator ad prosequendum of the decedent whose death gives rise to the claim under the act to which this act is a supplement; except where such deceased dies testate; and his or her will is probated, the executor or executors therein named, who qualify, shall bring, institute or make such action, proceeding or claim. The amount recovered in every such action shall be for the exclusive benefit of the widow, surviving husband, and next of kin of such deceased person, and shall be distributed to such widow, surviving husband, and next of kin, in proportion provided by law in relation to the distribution of personal property left by persons dying intestate; and in every such action the jury may give such damages as they shall deem fair and just with reference to the pecuniary injuries resulting from such death to the wife, surviving husband, and next of kin of such deceased person; *provided*, that where such deceased person has left or shall leave him or her surviving a widow or husband but no children or descendant of any children and no parents, the widow or surviving husband, as the case may be, shall be entitled to the whole of the damages which she or he shall sustain, and which shall be hereinafter recovered in any such action, and the same shall be paid to her or to him; *and provided further*, that every action shall be commenced or sued within two years after the death of such deceased person and not after; *and provided, further*, that where such action is brought or proceeding instituted or claim made by an administrator ad prosequendum no payment in settlement of any such claim or in satisfaction of any judgment obtained in any such action, or proceeding brought, or instituted, under the act to which this act is a supplement, shall be made to such administrator ad prosequendum, but such payment shall be made in such settlement, or in such satisfaction, only to a general administrator, who has given bond as required by law and who has been appointed on a petition which recites the amount to be so paid in settlement or in satisfaction of such judgment, or to one who has been appointed and who has filed with

the tribunal appointing him, a supplemental bond with two able sureties, in form and amount sufficient, in the judgment of the tribunal with which such bond is filed, to protect those entitled to the proceeds of such settlement or such satisfaction, in the receipt of such proceeds; and no release by any administrator ad prosequendum and no cancellation of a judgment, whether by warrant or otherwise, by an administrator ad prosequendum or by his attorney of record, or attorney in fact, shall release the person making such payment from any liability to such widow, husband, or next of kin of such deceased person under the act to which this act is a supplement, or operate as a valid cancellation of such judgment or as authority to any clerk of any court or county to cancel such judgment of record. As to release.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 181.

A Supplement to an act entitled "An act respecting the Orphans' Court and relating to the powers and duties of the ordinary, and the Orphans' Court and surrogates" (Revision, one thousand eight hundred and ninety-eight).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The surrogate of the county in which the deceased shall be resident at the time of his death shall have the power and authority to grant letters of administration ad prosequendum to the person or persons entitled to ordinary administration, and such administrator or administrators shall not be required to give bond, as is required by law in all other cases of administration.

Administrator  
ad prosequen-  
dum.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 182.

An Act to annex to the borough of East Paterson, in the county of Bergen, a part of the township of Saddle River, in the county of Bergen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. All that part of the township of Saddle River, in the county of Bergen, lying within the following boundaries, to wit:

Boundaries  
of that part  
of Saddle  
River town-  
ship to be  
annexed to  
East Paterson.

Beginning at a point in the center line of the Passaic river, where the same is intersected by the center line of Broadway, if produced westerly to the center line of the said Passaic river. Said point of beginning is also the northwesterly corner of the boundary of the borough of East Paterson, Bergen county, N. J. Thence from said point of beginning running (1) northeasterly then northwesterly along the center line of the said Passaic river the several courses thereof two thousand and forty feet more or less to a point in the said center line of the said Passaic river, where the same would be intersected by a line drawn parallel to Willow street and one hundred feet northerly therefrom, as shown on map entitled "Rosemont, Paterson's New Suburb Property of the Rosemont Land and Improvement Co., Paterson, N. J.," and filed in the Bergen county clerk's office as map number 957, if produced westerly to the said center line of the said Passaic river; thence (2) northeasterly along said last-mentioned line and parallel to the said Willow street and one hundred feet northerly therefrom two thousand four hundred and eighty feet more or less to property of Sarah Rebecca Barbour and the northeasterly corner of the said Rosemont map; thence (3) southeasterly along property of the said Sarah Rebecca Barbour and the easterly line of the said Rosemont map, being about

one hundred and thirty feet east of Florence Place as shown on said map one thousand seven hundred and ten feet more or less in a straight line, to the center line of the said Broadway and the northerly line of the said borough of East Paterson; thence (4) south-westerly along the center line of the said Broadway and the northerly line of the said borough of East Paterson two thousand five hundred and eighty-five feet more or less, in a straight line, to the center line of the said Passaic river and the point of beginning.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 183.

An Act to amend an act entitled "An act to regulate the practice of architecture," approved March twenty-fourth, one thousand nine hundred and two.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section ten of the act to which this act is an amendment be and the same is hereby amended so as to read as follows:

Section 10  
amended.

10. If the examination of any applicant for registration shall be satisfactory to the majority of the board, and upon payment of an additional fee of fifteen dollars to the said board, a certificate shall be issued to said applicant authorizing him to practice the profession of architecture; any person who at the time of the passage of this act be engaged in the practice of architecture in this State, and who shall present to the State Board an affidavit to that effect before the first day of May, one thousand nine hundred and three, or a certificate from a similarly constituted board of another State, with such other satisfactory evidence of

Fee for issuing  
certificate.

Certificate to  
those in practice.

Fee.

License re-  
corded.

Annual fee.

competency as the board in its discretion may require, and any person who is a member of the American Institute of Architects, shall be entitled to receive such certificate upon the payment to the said board a fee of five dollars; each person licensed shall cause such license to be recorded in the office of the Secretary of State; each person licensed shall, during the month of May of each year, pay to the State Board of Architects a fee of five dollars or forfeit his certificate.

2. This act to take effect immediately.

Approved March 27, 1917.

#### CHAPTER 184.

An Act to validate the record of all deeds, mortgages, grants, sales, leases or assurances in the clerk's office of any county in this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validity of  
certain records  
in county  
clerk's office.

1. All deeds, mortgages, grants, sales, leases or assurances on record in the office of the county clerk of any county in this State, which deed, mortgage, grant, sale, lease or assurance shall be signed by the person making a cross mark, designating the signature, be and the same shall hereby be valid as though the words "His Mark," or "Her Mark," were written over or in proximity to the said cross mark, but that no deed, mortgage, grant, sale, lease or assurance now on record in the office of the county clerk of any county in this State shall be invalid or defective by reason of the failure of any person executing the same to insert the words "His Mark," or "Her Mark," over or in proximity to the said cross mark.

Repealer.

All inconsistent acts are hereby repealed, and this act shall take effect immediately.

Approved March 27, 1917.



## CHAPTER 185.

An Act to regulate the construction and use of steam  
boilers.

BE IT ENACTED *by the Senate and General Assembly  
of the State of New Jersey:*

1. The Governor shall appoint two citizens of this State, who, together with the Commissioner of Labor and the members of the Steam Engine and Boiler Operator's License Bureau, shall act as members of a board of boiler rules. This board shall meet at the call of the Commissioner of Labor, who shall be the chairman of the board, and shall formulate rules and regulations for the safe and proper construction and installation of steam boilers. No steam boiler shall be installed or used in this State unless it conforms to the rules and regulations adopted pursuant to this act.

Board of  
boiler rules.

Rules and  
regulations.

2. Any person violating any of the provisions of this act or violating any of the rules or regulations or requirements of the board of boiler rules shall be subject to a penalty of fifty dollars for the first offense and one hundred dollars for the second and each subsequent offense. Any penalty incurred under this act shall be sued for and recovered by and in the name of the Commissioner of Labor in accordance with the procedure provided for by an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," which was approved March twenty-fourth, one thousand nine hundred and four.

Penalty.

Recovery of  
penalty.

Approved March 27, 1917.

## CHAPTER 186.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities of the second class which now have or may hereafter have a population of less than twenty thousand," approved April twenty-third, one thousand nine hundred and seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validity of  
conveyance.

1. Any deed or deeds of conveyance heretofore made and delivered by any city which has adopted the provisions of the act to which this is a supplement, for a valuable consideration, is and are hereby confirmed, validated, legalized and declared to be, and is and are and shall be as good, legal, valid and effectual, and the record thereof admissible in evidence, as fully and completely as if the land and premises therein described and thereby conveyed, or intended so to be, had been sold and disposed of, and the said deed or deeds of conveyance had been or was or were made and delivered in strict conformity with the provisions of the act to which this is a supplement, although the provisions of the ninety-third section of the act to which this is a supplement, or any of them, or any other provisions of said act have not been complied with, or said deed or deeds has or have been authorized and directed to be made by resolution of the city council of said city and not by ordinance.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 187.

An Act to amend an act entitled "An Act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section fourteen of an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two, be amended so as to read as follows:

Section 14  
amended.

14. Increase deemed part of capital.

The whole of the increased capital shall be paid and may be invested, and an examination thereof shall be made as is provided in section seven of this act for the original capital stock; and thereupon the said increase shall be deemed a part of the capital of said company, subject to all the provisions of this act applicable to the same; *provided, however*, that whenever any insurance company shall increase its capital stock by more than fifty thousand dollars, an examination thereof shall be made whenever and as often as fifty thousand dollars of such increase shall be paid in, as is provided in section seven of this act for the original capital stock; and thereupon the said increase of fifty thousand dollars shall be deemed a part of the capital of said company, subject to all the provisions of this act applicable to the same.

Increase of  
capital in-  
vested.

Proviso.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 188.

An Act to permit boroughs to sell, exchange and dispose of portions of lands acquired for park purposes to railroad companies and devote the proceeds of said sale or the lands acquired by said exchange for park purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Boroughs may  
sell part of  
park land to  
railroad.

I. Whenever, in any borough in this State, there shall have been acquired any lands for park purposes contiguous to the lands and right of way of any railroad company, and any railroad company shall own lands adjacent to and abutting upon the lands so acquired by the borough for park purposes, said borough shall have the power to convey by deed, executed and delivered by its mayor, after due authorization by resolution by its borough council, a portion of the said lands so dedicated for park purposes if the said lands so to be conveyed are contiguous or adjacent to the right of way of such railroad company, to said railroad company, to be used by the said railroad company for the erection and maintenance upon said lands and premises of a railroad station or freight station, or for the widening of the right of way of the said railroad company, or for any other purposes proper and appurtenant to the operation of the said railroad: *provided, however*, that in no case shall the lands and premises so conveyed to any such railroad company include an area of more than one-fourth of the entire parcel of land or lands so acquired for park purposes; *and provided, further*, that the proceeds of such sale by the said borough to the said railroad company shall be set apart as a separate fund by the said borough exclusively for the maintenance as a public park of the remainder of said lands and premises unsold and retained by the said borough as aforesaid, or if the said

Proviso.

Proviso.

borough shall accept as the consideration for said conveyance a deed for lands owned by said railroad company, said lands so accepted in exchange shall be used by the said borough and held and maintained for park purposes.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 189.

An Act authorizing the Governor to cede to the United States certain lands under water in the Delaware river, for the purpose of aiding in the improvement of said river.

WHEREAS, The Federal Government is engaged in dredging and otherwise improving the bed of the Delaware river under authority of Congress, and in the course of such improvement it was found necessary for the government to construct a bulkhead around portions of what are known as "Dan Baker" and "Stony Point" shoals, so as to form a basin within which the material dredged from the channel was deposited, thereby forming an island; and

Preamble.

WHEREAS, under authority of an act of the Legislature of the State of New Jersey, approved March twenty-ninth, one thousand nine hundred and seven (Chapter 20, Laws 1907, State of New Jersey), the Governor of the State of New Jersey, by indenture dated the twenty-eighth day of March, nineteen hundred and seven, ceded jurisdiction over and conveyed to the United States all right, title and interest of the State of New Jersey in and to the aforesaid island, except that the State of New Jersey retained its sovereignty and jurisdiction over the land conveyed so far as that all civil and criminal process issued under

Preamble.

authority of any law of the State of New Jersey may be executed in any part of the premises conveyed; and

Preamble. WHEREAS, A stone dike has been constructed by the United States from the southerly end of the aforesaid island to the New Jersey shore of the Delaware river at Stony Point, thereby forming a basin between the aforesaid island and the New Jersey shore of the Delaware river within which it is the intention of the United States to deposit the material dredged from the channel; and

Preamble. WHEREAS, When filled this area will form land above high water connecting the aforesaid island with the New Jersey shore of the Delaware river, which it is thought important to have in the possession and under the control of the United States; and

Preamble. WHEREAS, The government of the United States desires to acquire title to that portion of the river bottom of the Delaware river on which the aforesaid land is to be constructed; therefore,

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

State to cede jurisdiction to certain submerged land.

1. The Governor of this State be and he hereby is authorized and directed to cede jurisdiction over and convey to the United States all the right, title and interest of the State in and to certain submerged land in the Delaware river lying between the aforesaid island and the high water line on the New Jersey shore of the Delaware river, the location whereof with reference to United States Engineer Department triangulation of the said river is more particularly described as follows:

Description of land ceded.

Beginning at a point A, distant four thousand three hundred and fifteen (4,315) feet from triangulation station Stony Point on a line south sixty-five (65) degrees forty-one (41) minutes west therefrom, and distant ten thousand eight hundred fifteen and nine-tenths (10,815.9) feet from triangulation station Hope on a line north sixty-two (62) degrees fifty (50) minutes and twenty-six (26) seconds west therefrom, this point A being also the point of beginning of the boundary of a parcel of land formerly ceded to the United

States by the States of Delaware and New Jersey by acts approved April fourth, one thousand nine hundred and seven, and March twenty-ninth, one thousand nine hundred and seven, respectively; thence from A along the east boundary of the said land ceded to the United States by the following courses and distances: North seven (7) degrees and thirty-three (33) minutes west, two thousand and six and two-tenths (2,006.2) feet to B; thence north five (5) degrees and forty-seven (47) minutes west, three hundred and eighty-two and six-tenths (382.6) feet to C; thence north three (3) degrees and fifty-three (53) minutes west eight thousand one hundred and fifty-five (8,155) feet to D; thence north seven (7) degrees forty-nine (49) minutes and twenty (20) seconds west, four thousand five hundred and nineteen (4,519) feet to E, the beginning of a curve the degree of which is thirty (30) degrees eleven (11) minutes and twenty-five (25) seconds; thence along said curve a distance covered by a central angle of fifty-nine (59) degrees five (5) minutes and eleven (11) seconds to F. The bearing and length of the chord from E to F is north thirty-seven (37) degrees twenty-one (21) minutes and fifty-eight (58) seconds west, one hundred and eighty-nine and thirty-four hundredths (189.34) feet; thence from F south sixty-six (66) degrees fifty-four (54) minutes and thirty-one (31) seconds east, five thousand four hundred and forty-three and sixteen-hundredths (5,443.16) feet to G on the south side of Alloway creek; thence south five (5) degrees thirty-six (36) minutes and thirty-five (35) seconds east, thirteen thousand four hundred and fifty-two and ninety-five-hundredths (13,452.95) feet, approximately parallel to the present shore line and between it and the high water line to H at Stony Point; thence south eighty-nine (89) degrees fifty-six (56) minutes and three (3) seconds west, five thousand and eighty-four and three-tenths (5,084.3) feet to K on a sixteen (16) degree twenty-five (25) minutes and thirty-six (36) seconds curve, which point is on the boundary of the above-mentioned land formerly ceded to the United States; thence along said curve a distance

covered by a central angle of ninety-seven (97) degrees twenty-nine (29) minutes and three (3) seconds to the point of beginning. The bearing and length of the chord from K to A, the place of beginning, is north forty-one (41) degrees eleven (11) minutes and twenty-seven (27) seconds east, five hundred and twenty-six and twenty-two-hundredths (526.22) feet. This tract of submerged land covers an area of one thousand five hundred and forty-one (1,541) acres, more or less.

Civil and  
criminal au-  
thority remain  
in State.

2. The sovereignty and jurisdiction of this State over the land herein authorized to be conveyed is hereby retained so far as that all civil and criminal process issued under authority of any law of this State may be executed in any part of the premises so conveyed.

3. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 190.

An Act to incorporate the borough of Barrington, in the county of Camden.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Part of Centre  
township in-  
corporated as  
Barrington.

1. The inhabitants of that portion of the township of Centre, in the county of Camden, hereinafter mentioned and described, are hereby constituted and declared to be a body corporate in fact and in law by the name of "The Borough of Barrington," and as such shall be governed by the general laws of this State relating to boroughs.

Boundaries of  
borough of  
Barrington.

2. The boundaries of said borough shall be as follows: Beginning at a stone in the middle of Clements Bridge road, located at the southwesterly line of the Atlantic City railroad; thence, northwestwardly along the southerly side of said railroad to the creek forming the boundary line between Haddon Heights borough



and Centre township; thence, along said creek or boundary line to the northwesterly line of Joseph Fitzgerald's property; thence, along said line which forms the dividing line of precincts one and three of Centre township; thence, following precinct lines on the west, including Williams' and Weaver's lands; thence, following the precinct lines on the south, through Clark's and Kinsey's lands to Davis road; thence, northeastwardly along the center line of Davis road to its intersection with the center line of the Camden and White Horse stone road; thence, along the middle of the said stone road, northwestwardly to the northwest corner of the Mount Peace Cemetery lot; thence, along the north side line of said cemetery lot, eastwardly to the west line of the J. C. White estate; thence, northwardly by the White estate to a stone corner to lands of E. T. Gill; thence, by Gill's outside lines southwestwardly 225 feet to a stone corner to Gill; thence, still by Gill northwestwardly 779 feet to Gill's corner in a stream which is a branch of Little Timber creek; thence, still by Gill down said stream southwestwardly 350 feet to a corner to Gill; thence, still by Gill northwestwardly 500 feet to a stone in the southerly side of an alley 15 feet wide; thence, by said side of said alley northwestwardly and at right angles to Clements Bridge road 900 feet to center line of said Clements Bridge road; thence, southwardly by the borough of Haddon Heights along the center line of said Clements Bridge road to the place of beginning.

3. This act shall take effect immediately; *provided*, Referendum. it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been adopted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held within said territory between the hours of six o'clock A. M. and seven o'clock P. M. of a day and at a place within the Special election.

Notice of election.	said territory to be fixed by the clerk of the township of Centre, in the county of Camden, who shall cause public notice thereof to be given by advertisements signed by himself, set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to the day so fixed for such election.
Election, how conducted.	4. Such special election shall be held at the time and place so appointed and shall be conducted by the board of registry and election of the election district most nearly corresponding in extent to the limits of said territory within said township, and which conducted the general election next preceding the holding of such election in said township, and shall be by ballot. The registry of voters used at the last general election in such district shall be used at said special election in such election district, and the said board of registry and election shall meet one week next preceding the day fixed for said special election, at the place where the same is to be held from one o'clock to nine o'clock P. M., for the purpose of revising and correcting the registry lists in the manner provided under the general election laws of this State; <i>provided</i> , that said list, for the purpose of this election, shall be revised so as to include all and only such voters of said township who may then reside within the territory comprised within the limits of the borough created by this act. The clerk of the township of Centre shall give public notice of such meeting of said board of registry and election at the time and in the manner hereinbefore provided for the giving of the notice of the time and place of holding of said special election, and shall provide a suitable place for the holding of said special election and the necessary ballots for the electors voting thereat, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:
Registry.	
Proviso.	
Notice of sitting of board.	
Question on ballot.	"If you favor the proposition printed below make an X mark in the square to the left of and opposite the word 'Yes'; if you are opposed thereto make an X mark in the square to the left of and opposite the word 'No.'"

	Yes.	Shall an act entitled "An act to incorporate the borough of Barrington, in the county of Camden," be adopted?
	No.	

"If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word 'Yes,' it shall be counted as a vote in favor of such proposition." Voting.

"If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word 'No,' it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite either the word 'Yes' or 'No,' it shall not be counted as a vote for or against such proposition."

5. The officers holding said election shall, within two days after such election, make a return in duplicate of the result of such election by statements in writing and under their hands, one of which certificates or returns shall be filed forthwith with the clerk of the township of Centre and entered in full upon the minutes of the township committee of the township of Centre, and one of which certificates or returns shall be filed forthwith with the clerk of the county of Camden. Result filed.

Approved March 27, 1917.

## CHAPTER 191.

An Act to authorize cities, boroughs, towns, townships and villages to provide by ordinance for the licensing and regulating of roving bands of nomads, commonly called gypsies.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Licensing  
and regulat-  
ing gypsies,

1. The governing body of every incorporated city, borough, town, township and village within this State shall have power to provide by ordinance for the licensing and regulating of roving bands of nomads, commonly called gypsies, to fix penalties for the violation of the same, and to prescribe the manner of collecting said penalties and enforcing said ordinances.

2. This act shall take effect immediately.

Approved March 27, 1917.

## CHAPTER 192.

An Act concerning municipal and county finances.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Budget  
adopted an-  
nually.

1. There shall hereafter annually be adopted by the governing body of each municipality and each county in the State, what shall be known and designated as the "Budget" as hereinafter described in section six. When said budget shall apply to municipalities it may be further designated as the "Local Budget," and when applied to counties, as the "County Budget."

Local and  
county.

Hearing and  
adoption.

2. The budget shall be approved and hearing held at any time not later than the twenty-fifth day after the

beginning of the fiscal year for municipalities and the fifteenth day for counties, and adopted at any time not later than the fortieth day after the beginning of the fiscal year for municipalities, and the thirtieth day for counties. *Provided, however,* that in the case of any municipality or county, which shall levy the taxes in one fiscal year, for the support of appropriations to be expended in a fiscal year which commences after the date of such levy, the time for such approval and hearing on the budget shall be at any time not later than the twenty-fifth day for municipalities and the fifteenth day for counties, and the time for such adoption shall be at any time not later than the fortieth day for municipalities and the thirtieth day for counties, after the first day of July of the year within which the taxes are levied.

Proviso.

3. The notice for hearing as herein required shall fix a time and place, when and where, objections thereto may be presented by any taxpayer of said municipality or county, as the case may be. Such notice, together with the budget as approved, shall be published at least twice, in at least one newspaper, circulating in the municipality or county, as the case may be; the first publication to be within ten days after the date of the approval of said budget, and at least one week, and not exceeding two weeks, prior to the date designated for the hearing.

Notice for hearing objections.

Notice and budget published.

4. At or after the time so fixed for the hearing of objections to said budget, the governing body of the municipality or county shall have power to alter or amend any particular item or items of said budget as approved, but in case any item of appropriation is increased or decreased more than ten per centum, the item or items amended shall be immediately advertised for hearing, and objections heard thereon, in the same manner as provided for in the case of the first hearing. At or after the time set for the hearing herein required, the budget as finally fixed shall be adopted, by resolution of the governing body, and when so adopted shall be operative for the fiscal year for which the same shall be adopted: *provided,* should there not be sufficient time to conclude the hearing herein required, at the time as

Budget may be altered.

Final adoption.

Proviso.

designated in the notice, such hearing may be adjourned to a time and place to be announced at the conclusion of the advertised hearing.

Tax ordinance  
not to vary  
more than ten  
per centum  
from any item.

5. No tax ordinance or resolution thereafter adopted, or schedule of appropriations submitted to the electorate, as the case may be, for the fiscal year for which the budget shall have been adopted, shall raise by tax or otherwise provide for local purposes other than schools in the case of municipalities, or for county purposes in the case of counties, an amount to be expended for any particular item of appropriation that is greater or less by ten per centum than the amount provided in the adopted budget for said item, provided that in no event shall the total amount to be raised by taxes or otherwise provided for local purposes, other than for schools in the case of municipalities, and for county purposes in the case of counties, by said tax ordinance or resolution, or schedule of appropriations submitted to the electorate, be an amount that is greater or less by five per centum than the total amount of such appropriations as fixed in the adopted budget. *Provided, further*, that the amount of any item denoted as "contingent expenses" as hereinafter permitted, shall at no time exceed three per centum of the entire aggregate amount of such appropriations. *Provided, further*, that nothing herein contained shall prevent any electorate, to whom appropriations are by law submitted, from voting an amount in excess of, or less than the amount as adopted by the governing body. *Provided, further*, that nothing herein contained shall prevent the governing body of any municipality or county at any time before the tax ordinance or resolution is finally passed from making appropriations for, and raising by taxation, such item or items as may be required by this or any other statute to be raised by taxation.

Total amount  
not to vary  
more than five  
per centum.

Proviso.

Proviso.

Proviso.

Budget to  
show:

Anticipated  
revenues;

6. The budget shall consist of a tabulated statement of:

(a) The total anticipated revenues, applicable to the lawful current expenditures (excepting revenues received from the sale of water and those required by statute, to be applied to a specific purpose), for the

fiscal year of the municipality or county, as the case may be, under the headings in the order named:

Surplus Revenue Appropriated.

Subdivisions  
of statement;

Miscellaneous Revenues.

State Railroad and Canal Tax. (In the case of municipalities.)

Amount to be Raised by Taxes.

and (b) The several objects for which the revenues are to be expended for local purposes other than schools, in the case of municipalities, and county purposes in the case of counties, under the heading of Appropriations.

Purposes of  
expenditures;

The total of the appropriations shall equal the total of the anticipated revenues.

Totals;

In a column to the right of the several items of appropriations shall be placed the amount as appropriated for such item in the previous year.

Items for  
comparison;

The appropriations for all other purposes, as fixed in the tax ordinance or resolution, shall be raised by adding the corresponding amounts to the amount to be raised by taxes in accord with the above schedules, and such total shall then constitute the total amount to be raised by taxes for the year by the tax ordinance or resolution.

Appropriations  
for other pur-  
poses;

The said budget shall contain at the head thereof a statement of the actual amount of surplus in the surplus revenue account.

Surplus.

7. The term "Surplus Revenue" as used and applied in this act shall include:

Surplus in-  
cludes:

(a) The unexpended balances of the budget appropriations of the previous year in excess of obligations incurred therefor, and purposes unfulfilled thereunder, which are properly chargeable thereto; *provided, however*, that there may be first deducted from the aggregate of such unexpended balances of appropriations an amount equal to the amount of taxes which shall have been canceled or remitted during the fiscal year by the act of the governing body of the municipality, the county board of taxation, the State Board of Taxes and Assessments, or any other body, board or court authorized by law to remit such taxes, and the amount of such taxes as shall have been, during the fiscal year by the governing body of the municipality or county, so far as

Unexpended  
balances and  
purposes;

Proviso.

authorized by law to do so, directed to be charged off as uncollectable.

Miscellaneous  
revenues;

(b) The receipts from miscellaneous revenues which are in excess of the aggregate amount of the classified miscellaneous revenues as fixed in the budget, excepting such deductions as may be authorized under the provisions of section seventeen of this act.

General  
revenues.

(c) The revenues coming into the general treasury from time to time, from any and all sources, applicable to the lawful current expenditures for the year of the municipality or the county, as the case may be (excepting revenues received from the sale of water and those required by any statute to be applied to a specific purpose, and excepting the amount to be raised by taxes and the State railroad and canal tax), which are not included in the schedule of miscellaneous revenues, as set out in the budget.

As to expendi-  
tures for the  
year.

It shall not be necessary to include in the budget the entire amount on hand in the surplus revenue account as a source of revenue, but only so much thereof as is proposed to be applied to the expenditures for the year.

Transfer of  
surplus to  
reserve ac-  
count.

8. Any municipality or any county which may at the time of setting up their surplus revenue account, or at any time thereafter, have a surplus which it is deemed advisable to employ from time to time in financing the expenditures under appropriations made in the budget or in the tax levy, may, by ordinance or resolution, transfer such moneys to a reserve surplus account, and moneys in this account may be borrowed from time to time by the municipality or county in the same manner and for the same purposes as money may be borrowed from any other source. Such loans shall not draw interest, but shall be identified by proper instruments, it being the purpose of this account to make available such surplus moneys as it may be deemed advisable to employ in the conduct of the year's business in order to save interest charges. Moneys so transferred to the reserve surplus account may at any time be retransferred or returned to the surplus revenue account by ordinance or resolution of the governing body.



9. Miscellaneous revenues, as used and applied in this act, shall include all receipts from known and regular sources of revenue, or sources reasonably capable of anticipation for the year (except revenues received from the sale of water and those required by any statute to be applied to a specific purpose), coming into the general treasury, applicable to the lawful current expenditures of the municipality or county, as the case may be, and other than revenue from the annual tax levy, State railroad and canal tax and those revenues hereinbefore designated as surplus revenue, and shall be set forth in the budget, as anticipated for the year, classified according to their respective sources.

Miscellaneous  
revenues, of  
what to con-  
sist.

10. The term "amount to be raised by taxes" as used and applied in the budget, as defined in section six, shall mean the amount to be raised by taxation for local purposes other than schools in the case of municipalities, and for county purposes in the case of counties.

"To be raised"  
explained.

11. Under the heading of "Appropriations" in the budget, as provided in section six of this act, there shall be set forth the appropriations, itemized according to the respective objects, departments or sub-departments for which they are to be expended, with the amount to be devoted to said object, department or sub-department. The several items of appropriations shall be set forth accurately according to the particular object, department or sub-department for which the respective amounts are to be expended, excepting that any item designated to cover expenditures not otherwise specifically set forth, which shall be denoted "Contingent Expenses" shall not exceed in amount more than three per centum of the total amount of said appropriations; *provided, however*, if the amount of taxes cancelled or remitted in any fiscal year shall not be deducted in full from the total of the unexpected balances for that year, then an amount equal to the remitted or cancelled taxes not so deducted, shall be appropriated in the budget of the succeeding year.

Appropriations  
itemized.

Accurate state-  
ment.

Contingent  
expenses.

Proviso.

12. In every budget there shall be included, in connection with the statement of anticipated revenues and appropriations, as hereinbefore provided, a statement of the sources of revenue, the funds from which are re-

Specific pur-  
poses.

quired by law to be applied to any specific purpose other than schools, together with the respective amounts anticipated from such sources for the fiscal year, and the specific purposes to which they are required to be applied.

Surplus revenue account.

13. Each municipality and each county in this State shall, before the adoption of its first budget as provided in this act, set up and thereafter keep an account to be known as "Surplus Revenue Account," and shall enter therein all revenue surplus existing at the time of setting up said account, and all moneys coming into the general treasury from all sources included under the head of surplus revenue, as defined in section seven.

Unexpended balances transferred to surplus revenue account.

14. All unexpended balances of the budget appropriations for the previous years in excess of the obligations incurred on account thereof, and for purposes unfulfilled thereunder, and which are properly chargeable thereto, as hereinbefore provided in subdivision (a) of section seven, shall be transferred to the said surplus revenue account.

Available for expenditures.

15. The moneys in said surplus revenue account shall be available as hereinafter provided for any lawful expenditures included in the appropriations for the year in the budget of the municipality or county, but in no case shall be appropriated from the said account except by the vote of the governing body of the municipality or county, as the case may be.

Use of money from surplus revenue account.

16. Money may be used from the surplus revenue account for any lawful expenditures between the beginning of the fiscal year and the time of the adoption of the budget, but the purposes for which such moneys are thus used shall be included in the schedule of appropriations as subsequently set forth in the adopted budget, so that such moneys so used may be included under the proper classification of expenditures of appropriations for the full fiscal year. The money so taken from the surplus revenue account, between the beginning of the fiscal year and the final adoption of the budget, shall be entered into a separate account to be known as "Surplus Revenue Appropriated," and upon the final adoption of the budget, there shall be entered in the same account the

Entered in account "surplus revenue appropriated."

difference between the amount of surplus revenue provided in said budget as revenue for the current year, and the amount thereof already so used, as aforesaid, so that the total amount of surplus revenue to be applied to the expenditures for the current fiscal year shall be entered in the account known as "Surplus Revenue Appropriated."

17. No moneys shall otherwise be appropriated or used from said surplus revenue account subsequent to the final adoption of the budget in any year, up to the close of the fiscal year, but all surplus revenues received by the municipality or the county, as the case may be, shall be placed in the surplus revenue account and shall be held in said account until the first day of the following fiscal year, except as provided in section eight of this act. *Provided*, that if it shall appear to the governing body of the municipality or county during the last month of the fiscal year that there is a shortage in the receipts from one or more of the items of miscellaneous revenues, as stated in the budget, and that there are not sufficient excess receipts from the aggregate of the other items of miscellaneous revenues, as stated, to make up such shortage, then it shall be lawful for such governing body, by a resolution reciting the facts, to borrow from the surplus revenue account so much as may be necessary to make up the net deficit in the receipts from miscellaneous revenues, and the amount so borrowed shall be included in the appropriations of the succeeding fiscal year under the head of miscellaneous revenues deficit 19—, and shall be repaid before the thirty-first day of December of said succeeding fiscal year.

Surplus revenues entered in said account.

Proviso.

If shortage, borrow from surplus revenue account.

18. Moneys coming into the general treasury from miscellaneous revenues up to the total amount as stated in the budget, shall be at all times available for use for any lawful expenditures of the municipality or county, as the case may be, in accordance with the several appropriations made, as in this act provided. *Provided*, that moneys derived from this source may be used for any lawful expenditures of the municipality or county between the beginning of the fiscal year and the adoption of the budget, but the purposes for which such moneys

Use of moneys in general treasury.

Proviso.

are thus used shall be included in the schedule of appropriations as subsequently set forth in the budget, so that such moneys so expended may be included under the proper classification of expenditures for the full fiscal year.

Transfer of appropriations during last two months of year.

19. During the last two months of the fiscal year, if by any unforeseen demand there shall arise the necessity for greater expenditures to fulfill the purpose of one or more appropriations as stated in the budget or tax levy, and there shall be an excess in one or more appropriations (excepting the appropriations for contingent expenses), over and above the amount deemed to be necessary to fulfill the purpose of such appropriations, then it shall be lawful, by proper resolution setting forth the facts, for the governing body of any municipality or county, by a two-thirds vote thereof, to transfer the amount of such appropriation as may be deemed to be in excess, to such appropriations (excepting the appropriation for contingent expenses) as are deemed to be insufficient to fulfill the purposes of such appropriations.

Form of tax ordinance.

20. The tax ordinance or resolution to be adopted by the governing body shall be in substantially the following form:

An ordinance (or resolution) relating to taxes for the year nineteen hundred and . . . . .

Enacting clause.

Be it ordained (or resolved) by the (state the name of the governing body) that there shall be assessed, raised by taxation and collected for the fiscal year 19—the sum of                      dollars for the purpose of meeting the appropriations set forth in the following statement of resources and appropriations for the fiscal year 19—:

Assessments for sundry purposes.

Resources—

Surplus revenue appropriated.

Miscellaneous revenues (aggregate amount).

State railroad and canal tax (in case of municipalities).

Amount to be raised by taxes (as stated in the adopted budget).

Additional amount to be raised by taxes (giving items for which the several different amounts are to be raised).

## Appropriations—

Budget appropriations (state the aggregate amount as fixed in the adopted budget).

Local school (in case of municipalities).

Other appropriations (state the amount to be appropriated for all other purposes, including the increases or decreases from the budget appropriations, as authorized by section five of this act, for which taxes are to be levied, which are not included in any other items under the head of "Budget Appropriations" or "Local School").

This ordinance (or resolution) shall take effect

21. In anticipation of the receipt of taxes levied or to be levied, but not delinquent, any municipality or county may, between the beginning of its fiscal year and the day upon which taxes become delinquent of each year, borrow, as hereinafter provided, such moneys as may be necessary to meet its lawful expenditures under appropriations for the year for which such taxes are levied and for which they will become delinquent; *provided*, that no municipality or county shall in any fiscal year before the day upon which taxes become delinquent, borrow in excess of ninety-five per centum of the amount provided in the budget to be raised by taxes (including State railroad and canal taxes), up to the time of the final passage of the tax ordinance or resolution, and after that time in excess of ninety-five per centum of the amount to be raised by taxes (including State railroad and canal taxes), as provided in said tax ordinance or resolution, for that year, for the lawful purposes of such municipality or county, exclusive of sinking fund appropriations, principal or interest on public debt, State or State school tax, and in the case of municipalities, county taxes as well; *provided, however*, it shall be lawful to borrow the full amount of the interest or the principal of the public debt as the same shall fall due (providing no other provision has been made for the payment thereof); the amount of money so borrowed before August first, which is in excess of the amount appropriated for such

Borrow in anticipation of tax receipts.

Proviso.

Proviso.

Amount included in tax levy.

purpose or purposes, shall be included in the tax levy of the current year and be paid on or before the thirty-first day of December of said current year; and the amount of money so borrowed after August first shall be included in the budget of the following year, and the indebtedness thus incurred shall be paid on or before the thirty-first day of December of the said following year.

Liabilities,  
how evidenced.

22. All such liabilities incurred between the beginning of the fiscal year, and the day upon which taxes become delinquent, following, shall be evidenced by the issue of "Tax Anticipation Notes" or "Tax Anticipation Bonds" and not by the name or in the form of any other instrument whatsoever. All such notes or bonds issued by municipalities shall mature on or before the eleventh day, and those issued by counties on or before the ninth day, after the day upon which taxes become delinquent of the year of issue, and shall then be paid and retired; *provided, however*, it shall be lawful for any municipality or county to make the maturity of tax anticipation notes or bonds extend three months longer than the period herein recited, but in such cases the notes or bonds so issued and outstanding shall be credited upon the books of the municipality or county, as the case may be, as tax anticipation notes or bonds, and charged as tax revenue notes or bonds on the eleventh day after the municipal taxes become delinquent for municipal obligations, and on the ninth day after the county taxes become delinquent for county obligations, and all renewals, in whole or in part, of such notes or bonds must be in the form of tax revenue notes or bonds, and such renewals shall come under the provisions and limitations of sections twenty-three and twenty-four of this act.

Maturity of  
notes or bonds.

Proviso.

Borrowing to  
refund tax  
anticipation  
notes or bonds.

23. From the day upon which taxes become delinquent, up to and including the eleventh day thereafter in municipalities, and the ninth day in counties, any municipality or county, in anticipation of the receipt of tax revenues, due and unpaid, may borrow such moneys as may be necessary to refund its outstanding

tax anticipation notes or bonds, and from the day upon which taxes become delinquent, in anticipation of the receipt of tax revenues which are delinquent and unpaid, any municipality or county may borrow such moneys as may be necessary to meet the lawful expenditures of appropriations. For the purpose of this section, taxes levied upon railroad and canal property, which are payable to the State Comptroller and are allotted to and paid by him to the taxing district, shall be deemed to be delinquent to the taxing district from the day upon which taxes levied by the taxing district become delinquent until the said railroad and canal taxes are received by the collector or other proper officer of the taxing district. Loans of this class shall be evidenced by the issue of "Tax Revenue Notes" or "Tax Revenue Bonds," and not by the name or in the form of any other instrument whatsoever. Each tax revenue note or bond, or renewal thereof, shall bear upon its face the statement that it is issued against delinquent tax revenues (giving the day and year in which such tax revenues became delinquent), and no such note, notes, bond or bonds shall run, with their renewals, for a longer period than three years after the eleventh day for municipalities and the ninth day for counties in which the tax revenues against which such note, notes, bond or bonds were issued, became delinquent, except as hereinafter provided. The receipts of all tax revenues which are delinquent of any fiscal year shall thereafter be set aside and first applied to the retirement of the tax revenue notes or bonds of that year, until all notes or bonds issued against the uncollected tax revenues of that year are paid; *provided, however*, when there are obligations incurred for, or purposes unfulfilled under, the budget appropriations of any year, there may be reserved from the first receipts of delinquent taxes of that year an amount sufficient to pay such obligations or to fulfill such purposes, but in no case shall such receipts be reserved to an amount that is greater than the difference between the delinquent taxes of such year and the revenue notes or bonds issued against such delinquent taxes. Any unpaid

Borrow money to meet expenditures.

As to taxes on railroads and canals.

Loans, how evidenced.

Statement on face of note or bond.

Use of delinquent tax receipts.

Proviso.

Unpaid balance placed in tax levy.

balance of the tax revenue notes or bonds of any fiscal year, at the time of making up the tax levy for the third year thereafter, shall be placed in the tax levy of the said third year and retired on or before the last day of the said third year; *provided, however*, if any portion of the taxes upon which said tax revenue notes or bonds were issued shall be in litigation, then an amount equal to the face value of said taxes may be excepted and carried by renewal or renewals of said tax revenue notes or bonds until said litigation shall have been concluded, and all or any portion of the said taxes are paid; if, however, the courts or other lawful body shall cancel or remit all or any portion of the taxes so in litigation, then the said tax revenue notes or bonds, in an amount equal to the taxes so cancelled or remitted shall be paid in not less than five equal annual installments by the inclusion of an annual installment in the tax levy of each succeeding year until the said tax revenue notes or bonds shall have been paid; or if, notwithstanding, the result of such litigation be in favor of the municipality, such taxes shall, nevertheless, prove to be uncollectable, and the governing body shall, by proper resolution, so declare; then the tax revenue notes or bonds, to the amount of the taxes so declared to be uncollectable, shall be paid in not less than five equal annual installments by the inclusion of an annual installment in the tax levy of each succeeding year until the said notes or bonds shall have been paid.

**Proviso.**

**If court cancels or remits taxes in litigation.**

**Uncollectable taxes.**

**Gross amount of tax revenue notes or bonds.**

**If title to property in tax levy acquired, amount of taxes withdrawn.**

The gross amount of tax revenue notes or bonds for any year shall at no time exceed the gross amount of uncollected tax revenues of that year, plus the amount of the receipts from such tax revenues in hand applicable to the discharge of such notes or bonds at maturity, excepting, however, the amount of such notes or bonds as shall represent the amount of taxes cancelled or remitted as the result of litigation or declared to be uncollectable as herein provided.

24. If, during the life of any tax revenue note or bond, any municipality shall acquire any tax title to any real estate included within the tax levy of the fiscal year for which such notes or bonds were issued, the



amount of taxes represented by the tax titles so acquired may be withdrawn from the tax revenue notes or bonds of that year and funded by the issue of tax title note or notes, bond or bonds, the proceeds of which shall be applied to the retirement of the tax revenue notes or bonds of said year. Such tax title notes or bonds may run until the lien of the tax title is discharged, and shall be retired by the application to that purpose of the principal received in discharge of the lien or liens. The amount of all tax title notes or bonds outstanding shall at no time be greater than the lien value of the tax titles standing in the name of the municipality issuing such notes or bonds.

Tax title  
notes or bonds  
issued.

Amount of  
tax title  
notes or bonds.

25. Upon the happening of any emergency caused by fire, flood, explosion, storm, epidemic, recovery of judgment, act of God or the public enemy, or for the preservation of order or public health, or for restoring to a condition of usefulness any public property, the usefulness of which has been destroyed by accident, or by happening that could not have been anticipated, any municipality or county being without funds to meet the necessities and the conditions created thereby, may, by a vote of at least two-thirds of the members of the governing body of such municipality or county, make appropriations therefor and fund the expenditures made thereunder by the issue of "Emergency Notes" or "Emergency Bonds" which shall bear upon their face a statement of the cause or event with reference to which they are issued, and the date or period thereof. The amount of all such notes or bonds issued between the first day of the fiscal year and the time of fixing the annual tax levy shall be included in the tax levy for that year, and shall be paid on or before the eleventh day for municipalities and the ninth day for counties after the day upon which taxes become delinquent for that year, and all such notes or bonds made subsequent to the fixing of the tax levy, and before the last day of that fiscal year, shall be placed in the tax levy of the following year and retired by the eleventh day for municipalities and the ninth day for counties, after the day upon which taxes become delinquent for the following

Emergencies.

Appropriations  
and fund  
expenditures.

Payment of  
notes or bonds.

Proviso.

year; *provided, however*, that if the inclusion of the entire amount of such notes or bonds in the tax levy of one year as hereinbefore directed, would cause an increase in the tax rate of more than one-third of a mill on the dollar, provision for the payment of such emergency notes or bonds shall be made by the placing in the tax levy of that year and of each and every year thereafter a levy of an amount equal to not less than one-third of a mill on the dollar of the assessed valuation of the municipality or county, as the case may be, until said notes or bonds are retired. *Provided, however*, that the provisions of "An act to authorize and regulate the issuance of bonds and other obligations, and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and constituting Chapter 252 of the Laws of 1916, shall not be deemed in any respect affected or limited by this section; and said act shall be deemed additional and independent authority (within the scope of the authority conferred by it) for the financing of the purposes provided for in this section.

Notes or bonds  
issued by  
resolution.

26. All notes or bonds issued hereunder shall be authorized by resolution. They shall be negotiable instruments, but may be registered upon request of the purchaser or holder. They shall bear interest at a rate not in excess of six per centum per annum, and shall be sold by the municipal or county maker thereof for not less than par. The faith and credit of the municipality or county shall be deemed to be pledged for the payment of such notes or bonds with interest, as though a statement to that effect were endorsed thereon. *Provided, however*, when any municipality or county shall issue at one time notes or bonds hereunder to exceed in amount fifty thousand dollars, same shall be sold at public bidding as the result of sealed proposal which shall be publicly opened and read at the place and time as stated in the advertisement for such bidding, and after advertisement of one week previous to date of bidding in the official newspaper of said municipality

Rate.

Pledge for  
payment.

Proviso.

Public sale  
of bonds.

or county, if there be such, or if not, in a newspaper published or circulated in said municipality or county, as the case may be, and in such financial papers as the governing body may direct. Such notes or bonds shall be sold at par. The bidder shall be required to state the amount of interest he is willing to take for the loan about to be made. The bidder offering the least interest rate expressed in multiples of one one-hundredths of one per centum shall be awarded the sale of said notes or bonds; if, however, one or more bidders offer the same interest rate, then the bidder who shall offer the greatest additional premium shall be awarded the sale of said notes or bonds. Should no bid be received in response to the advertisement, the governing body shall have power within thirty days to sell such notes or bonds at private sale at the most advantageous rate obtainable. *Provided, further*, that upon a two-thirds vote of the governing body notes or bonds to any amount may be sold to the sinking fund of the issuing municipality or county, as the case may be, at par, without advertisement or public bidding.

Amount of  
interest bid-  
den.

Private sale.

Proviso.

27. This act shall take effect immediately and except as herein otherwise provided shall supersede the provisions of all other laws relating to the subject matter hereof, and if at the time this act takes effect any municipality or county shall have outstanding notes or bonds, or other obligations, of the kind or character authorized herein, such municipality or county shall not thereby be limited or restricted in the issuance of notes or bonds authorized herein, except that all such notes or bonds or other obligations issued on or after January first, one thousand nine hundred and seventeen, in the anticipation of receipt of taxes which will become delinquent on December twentieth, one thousand nine hundred and seventeen, in municipalities, and on December twenty-second, one thousand nine hundred and seventeen, in counties, shall for the purposes hereof be deemed issued hereunder; *provided, however*, that the powers conferred by this act shall be deemed to be in addition to, and independent of, any and all powers and authority conferred by any other law or laws adopted

Act super-  
sedes other  
laws.

If outstanding  
notes or bonds.

Proviso.

at the session of the Legislature at which this act is adopted, and not subject to any limitations contained in any such law or laws, nor shall the power and authority conferred by any such other law or laws be subject to the limitations of this act.

Approved March 28, 1917.

## CHAPTER 193.

A Supplement to an act entitled "An act relative to the Supreme and Circuit Courts (Revision of 1900)."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Bar examiners  
to investigate  
complaints  
against mem-  
bers.

1. It shall be lawful at any time hereafter for the Supreme Court to direct the bar examiners to investigate and hear all complaints of unprofessional conduct preferred against members of the bar of this State, and to report to the court thereon, with recommendations.

Clerk to ex-  
aminers.

2. Said court may also appoint a suitable person to be clerk of such bar examiners, to hold office during the pleasure of said court, and may appoint successors from time to time.

Procedure.

3. Said bar examiners shall hold sessions and shall adopt a procedure in accordance with such rules as said court may adopt, and shall have power to subpoena witnesses and other evidence, and to take testimony under oath, and a refusal to obey the command of such subpoena or to testify shall be dealt with by the Supreme Court as a contempt.

Expenses.

4. The traveling expenses of the bar examiners and of such clerk, and the compensation of such clerk, and the incidental expenses of such bar examiners, shall be regulated by said court, and shall not, together, exceed the sum of five thousand dollars per annum, to be paid by the State Treasurer upon requisitions signed by the

Amount.

bar examiners and by any one of the justices of said court who shall be designated for that purpose by the Chief Justice.

5. This act shall take effect immediately.

Approved March 28, 1917.

## CHAPTER 194.

An Act to amend an act entitled "A further supplement to the act entitled 'An act for punishment of crimes (Revision of 1898),' " approved February nineteenth, nineteen hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The act entitled "A further supplement to the act entitled 'An act for the punishment of crimes (Revision of 1898),' " is hereby amended to read as follows: Act amended.

It shall be unlawful for any person, firm, corporation or association engaged in commerce or trade, in the course of such commerce or trade, either directly or indirectly, to discriminate in price between different purchasers of commodities, which commodities are sold for use, consumption or resale within this State, where the effect of such discrimination is to substantially lessen competition or tend to create a monopoly in any line of commerce or trade; *provided*, that nothing herein contained shall prevent discrimination in price between purchasers of commodities on account of differences in the grade, quality or quantity of the commodities sold, or that makes only due allowance for difference in the cost of selling or transportation, or discrimination in price in the same or different communities made in good faith to meet competition; *and provided, further*, that nothing herein contained shall prevent persons engaged in selling goods, wares or merchandise in commerce or Discrimination unlawful.

Proviso.

Proviso.

trade from selecting their own customers in bona fide transactions and not in restraint of trade.

Penalty.

2. Any person, firm, or corporation or association violating this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished accordingly.

Repealer.

3. All acts and parts of acts inconsistent herewith are hereby repealed.

4. This act shall take effect immediately.

Approved March 28, 1917.

## CHAPTER 195.

An Act concerning the corporations of this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Purchase of  
property and  
stock of other  
corporations.

1. Any corporation formed under any law of this State may purchase property, real and personal, and, except as hereinafter is prohibited, the stock of any other corporation necessary or desirable for its business, and pay therefor in cash or its equivalent, or in the capital stock of the purchasing corporation to the amount of the value thereof, and the stock so issued shall be full paid stock and not liable to any further call; and any such corporation may also issue stock for the amount it actually pays for labor performed; *provided*, that when property or stock is purchased the purchasing corporation shall receive in property or stock what the same is reasonably worth in money at a fair bona fide valuation; *and provided, further*, that no fictitious stock shall be issued.

Proviso.

Proviso.

No purchase  
to lessen com-  
petition or  
tend to create  
monopoly.

2. No such corporation engaged in trade or commerce shall acquire, directly or indirectly, the whole or any part of the stock or other share capital of another corporation also engaged in trade or commerce, where the effect of such acquisition may be to substantially lessen com-

petition between the corporation whose stock is so acquired and the corporation making the acquisition, or to restrain such trade or commerce in any section or community, or tend to create a monopoly of any line of trade or commerce.

No such corporation shall acquire, directly or indirectly, the whole or any part of the stock or other share capital of two or more corporations engaged in trade or commerce where the effect of such acquisition, or the use of such stock by the voting or granting of proxies or otherwise may be to substantially lessen competition between such corporations, or any of them, whose stock or other share capital is so acquired, or to restrain trade or commerce in any section or community, or tend to create a monopoly of any line of trade or commerce.

Not to acquire stock of two corporations to lessen competition.

Nothing in this section contained shall apply to corporations subject to the jurisdiction of the Public Utilities act, approved April twenty-first, one thousand nine hundred and eleven, and the acts passed supplemental thereto, nor to corporations purchasing such stock solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition. Nor shall anything contained in this section prevent a corporation engaged in trade or commerce from causing the formation of subsidiary corporations for the actual carrying on of their immediate lawful business, or the natural and legitimate branches or extensions thereof, or from owning and holding all or a part of the stock of such subsidiary corporations, when the effect of such formation is not to substantially lessen competition.

Act does not apply to public utility corporations, or stock bought for investment.

Subsidiary companies.

3. Subject to the foregoing provisions of this act:

Any corporation may purchase, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the shares of the capital stock of, or any bonds, securities or evidences of indebtedness created by any other corporation or corporations of this or any other State or any foreign country, and while owner of such stock may exercise all the rights, powers and privileges of ownership, including the right to vote thereon.

Corporations may purchase, hold, etc., stock, bonds, etc.

Legal rights  
not impaired.

As to constitu-  
tionality.

Sections 49  
and 51  
repealed.

4. Nothing contained in this act shall be held to affect or impair any right heretofore legally acquired.

5. If any part or parts of this act shall be declared to be invalid or unconstitutional, the other parts thereof shall not thereby be affected or impaired.

6. Section forty-nine of the act entitled "An act concerning corporations (Revision of 1896)," as amended by an act entitled "A further supplement to an act entitled 'An act concerning corporations (Revision of 1896),' approved April twenty-first, one thousand eight hundred and ninety-six," for the purpose of amending section forty-nine thereof, which amendment was approved February nineteenth, one thousand nine hundred and thirteen, and section fifty-one of the act entitled "An act concerning corporations (Revision of 1896)," as amended by an act entitled "An act to amend an act entitled 'An act concerning corporations (Revision of 1896),' approved April twenty-first, eighteen hundred and ninety-six, which amendment was approved February nineteenth, one thousand nine hundred and thirteen," and as further amended by chapter 114 of the Laws of 1915, and all other acts and parts of acts inconsistent herewith be and the same are hereby repealed.

7. This act shall take effect immediately.

Approved March 28, 1917.

## CHAPTER 196.

An Act to amend section nine of an act entitled "An act regulating fishing in the waters of the Delaware river and bay lying between the States of New Jersey and Delaware and all the tributaries of said river and bay within said limits wherein the tide ebbs and flows," approved April twenty-seventh, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section nine of an act entitled "An act regulating fishing in the waters of the Delaware river and bay

Section 9  
amended.



lying between the States of New Jersey and Delaware and all the tributaries of said river and bay within said limits wherein the tide ebbs and flows," approved April twenty-seventh, one thousand nine hundred and eleven, be and the same is hereby amended to read as follows:

9. It shall be unlawful to use eel pots and fyke nets, each without wings, in the Delaware river and bay lying between the States of New Jersey and Delaware, and any of the tributaries of the said river and bay within said limits, wherein the tide ebbs and flows, from June first to July first in each year, both dates inclusive; *provided*, that the entrance to said eel pots and fyke net shall be not more than six inches in diameter and the outside diameter not more than thirty inches; *provided, however*, that eel pots and fyke nets, with wings not exceeding five fathoms in length, for the purpose of taking eels only, the entrance of which shall not be more than twelve inches and the diameter not more than seventy-two inches, may be used in the Delaware bay below West Creek from the fifteenth day of October to the thirty-first day of December, in each year, both dates inclusive. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of twenty dollars, together with a forfeiture of all nets, boats and appliances used.

Use of eel-pots and fyke nets.

Proviso.

Proviso.

Penalty.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 197.

A Further Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Hereafter no person shall be nominated as a candidate for public office in this State, or in any county

No nominations by convention, except electors.

or municipality herein, by a convention of delegates, except candidates for electors for President and Vice-President of the United States.

Repealer.

2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 29, 1917.

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### CHAPTER 198.

An Act to repeal an act entitled "An act authorizing the appointment of a legislative advisor and bill examiner, defining his duties and fixing his salary," approved March eighteenth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Act repealed.

1. The act entitled "An act authorizing the appointment of a legislative advisor and bill examiner, defining his duties and fixing his salary," approved March eighteenth, one thousand nine hundred and fourteen, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved March 29, 1917.

CHAPTER 199.

An Act to repeal an act entitled "An act concerning cities," approved April fourteenth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. That the act entitled "An act concerning cities," approved April fourteenth, one thousand nine hundred and fourteen, be and the same is hereby repealed. Act concerning paving streets repealed.

2. This act shall take effect immediately.

Approved March 29, 1917.

CHAPTER 200.

An Act to repeal section twenty of an act entitled "A supplement to an act concerning roads," approved March twenty-third, one thousand eight hundred and fifty-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section twenty of an act of the Legislature of the State of New Jersey entitled "A supplement to an act concerning roads," approved March twenty-third, one thousand eight hundred and fifty-nine, which reads as follows, to wit: "That if any damage shall happen to any person or persons, his, her or their team, carriage or other property, by means of the insufficiency or want of repairs of any public road in any of the townships of this State, the person or persons sustaining such damage shall have the right to recover the same with Act concerning damages to persons or vehicles on roads repealed.

costs, in any action on the case in any court of competent jurisdiction in this State, to be instituted by the said person or persons, his or their executors or administrators, against such township by its corporate name, and any judgment in such action shall be collectible in the manner and from the same property as is now by law provided for the collection of judgments against the several townships of this State," be and the same is hereby repealed.

2. This act shall take effect immediately.  
Approved March 29, 1917.

## CHAPTER 201.

A Supplement to an act entitled "An act concerning disorderly persons" (Revision of 1898).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Driving under  
influence of  
liquor.

1. Any person or persons who shall drive any horse, mule or other beast of burden over any public street or highway while under the influence of intoxicating liquors shall be adjudged to be a disorderly person, and upon conviction thereof shall be punished as such by a fine of not less than two and one-half dollars or more than ten dollars, or imprisonment for a term of not more than thirty days.

Penalty.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 202.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy, by the way of Sandy Hook,' approved April seventeenth, one thousand eight hundred and forty-six," approved March seventh, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act of which this act is amendatory be and the same hereby is amended so as to read as follows:

Section 1  
amended.

1. The pilot boats belonging in whole or in part to the United New Jersey Sandy Hook Pilots' Benevolent Association, or to the United New Jersey Sandy Hook Pilots' Association, shall be the only pilot boats in the New Jersey Sandy Hook pilot service, and the said pilot boats may have more than one apprentice; said apprentices shall be entered in the books of the New Jersey pilot commissioners in the name of and be indentured to the executive committee of the said association, or of the board of directors of said association, and serve as said apprentices under the laws of this State, and said committee or board of directors shall have the sole control of all apprentices until they have served the full term of four years; it shall be the duty of said committee or board of directors to see that all apprentices entered in the pilot commissioners' books in its name are fully instructed in their duties in such manner as is necessary to fully qualify them in every respect to perform the duties of a Sandy Hook pilot.

Apprentice-  
ship.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 203.

An Act to amend an act entitled "An act for the publication of the law and Chancery reports," approved February twenty-eighth, one thousand eight hundred and seventy-seven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 10  
amended.

Section ten of the act to which this act is amendatory is hereby amended so as to read as follows:

Distribution  
of law and  
chancery re-  
ports.

10. The superintendent of the State House and the adjacent public grounds shall, on receipt of said reports, after retaining one copy for himself, cause the residue to be distributed under the direction of the Governor as follows: to the Governor of this State, two copies; to each member of the Legislature, one copy; to the State Librarian, to be deposited in the State Library, twenty copies; to the Department of State of the United States, for the Congressional Library, four copies; to the Governor of each State and Territory in the United States, one copy; to each Senator and Representative in Congress from this State, one copy; to the Chancellor and each vice chancellor of this State and each judge of the Supreme Court and of the Court of Errors and Appeals, one copy; to the Secretary of State, Clerk of the Supreme Court, Clerk in Chancery and Attorney-General, Superintendent of Public Instruction, the State Board of Assessors, Adjutant-General and Quartermaster-General, for their respective offices, each one copy; to the sergeant-at-arms of each of the Chancery chambers at Trenton, Newark, Jersey City, Camden, Atlantic City and Paterson, one copy, for use in the respective Chancery chambers, including all back numbers necessary to make a full set of said reports for each of said chambers; to each county clerk, register and surrogate in this State,

for their respective offices, one copy; to the New Jersey lunatic asylums and State Prison, each one copy; to the librarian of the New Jersey Historical Society, for the use of said society, one copy; to the librarian of each incorporated college, the Burlington Library and the Newark Library Association, for the use of their respective libraries, each one copy; to each incorporated library association in this State which has a law library at the county seat of the county in which the same is located, one copy; to every library provided by the board of chosen freeholders of any county of this State at the court house of such county, one copy; the remainder to be reserved subject to the order of the Legislature.

Approved March 29, 1917.

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## CHAPTER 204.

An Act to repeal sundry acts relative to cities.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. From and after the time when this act shall take effect the following acts and parts of acts be repealed. (Comp. Stats., "Cities," Sections.)

Sundry acts  
repealed.

2-6 (1889-46)

"An Act to settle disputed boundaries between adjoining cities of this State," approved March 7th, 1889.

21-23 (1897-104)

"An Act concerning the part of the territory of any municipality annexed to any city, and providing for the government of such annexed territory as a part of the city to which it may be annexed, and the adjustment and apportionment of assets and liabilities between such city and the municipality from which such annexed territory is taken," approved March 24th, 1897.

24-28 and 30-36 (1900-152)

"An Act concerning consolidated cities and annexed municipalities and townships and portions thereof," approved March 22d, 1900.

29 (1906-331)

"A Supplement to an act entitled 'An act concerning consolidated cities and annexed municipalities and townships and portions thereof,' approved March twenty-second, one thousand nine hundred," approved May 2d, 1906.

37-53 (1908-295)

"An Act to enable adjoining municipalities, other than cities, lying in the same county, to consolidate and form a city," approved April 11th, 1908.

38 and 39 (1910-238)

"An Act to amend an act entitled 'An act to enable adjoining municipalities other than cities, lying in the same county, to consolidate and form a city,' approved April eleventh, one thousand nine hundred and eight," approved April 8th, 1910.

54-57 (1878-264)

"An Act regulating the boundary lines of the aldermanic districts in cities of this State," approved April 3d, 1878.

58 (1880-172)

"An Act concerning cities," approved March 10th, 1880.

59-61 (1881-175)

"An Act relating to the division of certain cities in this State into wards," approved March 22d, 1881.

59 and 60 (1882-70)

"A Supplement to an act entitled 'An act relating to the division of certain cities in this State into wards,'" approved March 8th, 1882.

61 and 62 (1883-170)

"A Further Supplement to the act entitled 'An act relating to the division of certain cities in this State into wards,' approved March twenty-second, one thou-



sand eight hundred and eighty-one," approved March 23d, 1883.

63 (1884—269)

"An Act concerning division of wards in cities of this State," approved April 25th, 1884.

63 (1888—116)

"An Act to amend an act entitled 'An act concerning division of wards in cities of this State,' approved April twenty-fifth, one thousand eight hundred and eighty-four," passed February 29th, 1888.

64-68 (1891—26)

"An Act to provide for the adjustment, division and creation of wards in certain cities in this State, and for the election of officers therein and in said cities," approved February 17th, 1891.

69-72 (1895—311)

"An Act concerning wards and district lines in cities of this State, and for the formation of new wards," approved March 14th, 1895.

69 (1901—12)

"A Supplement to an act entitled 'An act concerning wards and district lines in cities of this State, and for the formation of new wards,' approved March fourteenth, eighteen hundred and ninety-five," approved February 5th, 1901.

73 (1899—361)

"A Supplement to an act entitled 'An act concerning wards and district lines in cities of this State, and for the formation of new wards,' approved March fourteenth, one thousand eight hundred and ninety-five," approved March 24th, 1899.

74-77 (1899—14)

"An Act concerning cities," approved February 28th, 1899.

74. 75 and 77 (1900—24)

"An Act to amend an act entitled 'An act concerning cities,' approved February twenty-eighth, one thousand

eight hundred and ninety-nine," approved March 5th, 1900.

80 (1877—159)

"An Act for the regulation of salaries of city treasurers," approved March 9th, 1877.

82-84 (1877—225)

"An Act to authorize the municipal authorities of the cities in the State of New Jersey to fix and regulate the salaries of their officers," approved March 9, 1877.

91 (1878—231)

"An Act relating to 'commissioners of streets and sewers' in the cities of this State," approved March 29th, 1878.

94-95 (1878—327)

"An Act respecting the salaries of city officers in cities of this State," approved April 5th, 1878.

111-112 (1884—161)

"An Act concerning the salaries of officers in cities and townships of this State," approved April 14th, 1884.

113 (1884—246)

"An Act to authorize cities in this State to fix the salaries of city physicians of such cities," approved April 22d, 1884.

"An Act to fix the term of city physicians of cities of this State, wherein the terms of office of such physicians are not fixed by authority of law, and relating to the compensation or salary of such city physicians," approved February 17th, 1892.

118 (1886—96)

"An Act concerning salaries of certain officers in cities of this State," approved March 22d, 1886.

119 (1886—162)

"An Act fixing the compensation of commissioners constituting city boards having control and management of water works and the supply and distribution of water in cities of this State having over one hundred thousand inhabitants," passed March 30th, 1886.

134 (1887—102)

"An Act to authorize the common council or other governing body in the cities of this State to designate who shall perform the duties of certain officials when such officials are temporarily absent or unable to perform their duties by reason of sickness," approved April 1st, 1887.

137 (1887—161)

"An Act concerning fees of certain officers in cities of this State," approved April 11th, 1887.

144 (1891—466)

"An Act relating to the compensation of the city clerk of any city in this State," approved April 16th, 1891.

149 (1893—333)

"An Act relative to the salaries of mayors of certain cities," approved March 15th, 1893.

152 (1894—278)

"An act to prescribe the mode of filling vacancies in municipal offices in cities of this State when such vacancies have heretofore occurred or shall hereafter occur by reason of the failure of municipal officers to take and subscribe the oath of office within the time prescribed," approved May 9th, 1894.

152 (1904—23)

"An Act to amend an act entitled 'An act to prescribe the mode of filling vacancies in municipal offices in cities of this State when such vacancies have heretofore occurred or shall hereafter occur by reason of the failure of municipal officers to take and subscribe the oath of office within the time prescribed,' approved May ninth, one thousand eight hundred and ninety-four," approved March 1st, 1904.

153 (1895—360)

"An Act in relation to the salary of comptrollers in certain cities," approved March 20, 1895.

168 (1905—360)

"An Act to provide who shall act as mayor in case of the death of the mayor of any city," approved April 28th, 1905.

169 (1905—556)

"An Act fixing the compensation of comptrollers in cities of this State," approved July 6th, 1905.

171 (1906—282)

"An Act relative to the appointment of public officers in cities," approved April 24th, 1906.

196 (1907—381)

"An Act to fix the annual salary of the mayors of certain cities in this State," approved May 8th, 1907.

199 (1910—43)

"An Act to provide for the time and manner of paying salaries in cities in this State," approved March 17, 1910.

203 (1910—342)

"An Act concerning the salary of mayors of certain cities in this State," approved April 9th, 1910.

208 (1883—237)

"An Act to provide for the preservation of the public records of cities of this State," approved March 23d, 1883.

213 (1894—308)

"An Act concerning cities in this State, and regulating official searches of municipal records of such cities respecting municipal liens on real estate situate within the same," approved May 15th, 1894.

214 (1895—310)

"An Act to authorize the codification of the ordinances of the cities of this State," approved March 14th, 1895.

215 (1895—646)

"An Act concerning cities," approved March 22d, 1895.

216-219 (1897—353)

"An Act to provide for the compilation and revision of ordinances in cities of this State," approved May 11th, 1897.

221 (1878—334)

"An Act to grant power to the city councils of cities to regulate and control by ordinance the erecting and repairing partition fences in cities," approved April 5th, 1878.

222 (1880—113)

"An Act concerning cities," approved March 4th, 1880.

223 (1881—193)

"An Act concerning cities," approved March 23d, 1881.

224-229 (1881—202)

"An Act to authorize the abatement of nuisances in cities, and to make the cost and expense of such abatement a lien upon lands wherein such nuisances existed," approved March 24th, 1881.

230-231 (1881—259)

"An Act authorizing the legislative bodies of the cities of this State to pass ordinances providing for the removal of dangerous walls, buildings, stacks and chimneys erected therein," approved March 25th, 1881.

232 (1884—75)

"An Act in regard to the numbering of houses in cities," passed March 12th, 1884.

233-235 (1884—94)

"An Act relating to cities of the second and third class," passed March 25, 1884.

236-237 (1884—338)

"An Act entitled 'An act relating to the depth and construction of foundation walls of buildings and the responsibility of adjoining property owners to each other in cities in the State of New Jersey,'" approved March 10th, 1884.

238-241 (1890—295)

"An Act to regulate processions and parades in cities of the first and second class in this State," approved May 12th, 1890.

242-243 (1902-180)

"An Act to authorize and empower the board of aldermen, common council or other governing body of any city in this State by ordinance to regulate and control the erection and construction of buildings, and to provide for the enforcement of such ordinance," approved March 26th, 1902.

244 (1903-513)

"An Act to authorize and empower the common council or other governing body of cities to regulate, by ordinance, the size, height, location, position and material of all fences, billboards, signs and advertisements, the manner of securing, fastening and shoring the same, the removal, change and alteration of same now or hereafter in existence and providing a penalty for violation of such ordinance," approved April 8th, 1903.

245-246 (1904-276)

"An Act to regulate fences in cities of this State," approved March 28th, 1904.

245 and 246 (1907-419)

"An Act to amend an act entitled 'An act to regulate fences in cities of this State,' approved March twenty-eighth, one thousand nine hundred and four," approved May 13th, 1907.

247-248 (1904-277)

"An Act concerning penalties for the violation of ordinances in cities," approved March 28th, 1904.

249 (1877-44)

"An Act concerning cities," approved March 2d, 1877.

250-251 (1882-24)

"An Act to authorize cities to license and regulate the erection of billboards," approved February 24th, 1882.

252 (1882-43)

"An Act relating to the licensing and regulating of bill posters in cities," approved March 3d, 1882.

253 (1885—286)

"An Act granting to cities the right to license roller skating rinks or halls, and to regulate the keeping of the same," approved April 20th, 1885.

254-258 (1886—224)

"An Act empowering governing bodies of cities to license junk dealers and prohibit unlicensed persons from dealing in junk," passed April 13th, 1886.

259-260 (1887—23)

"An Act providing for summary arrests for the violation of ordinances," approved March 16th, 1887.

261 (1889—41)

"An Act concerning cities," approved March 4th, 1889.

262 (1890—360)

"An Act concerning the granting of licenses for shows, circuses and athletic exhibitions in cities," approved May 28th, 1890.

263 (1893—89)

"An Act to provide for the regulation and licensing of keepers of employment agencies and intelligence offices," approved March 1st, 1893.

264-267 (1894—221)

"An Act concerning licenses in cities of this State," approved May 8th, 1894.

268 (1877—143)

"An Act concerning cities," approved March 9th, 1877.

269-272 (1879—229)

"An Act to authorize the erection of city halls in cities," approved March 14th, 1879.

273-275 (1880—106)

"An Act to authorize the erection of city halls in cities of this State which are not the owners of buildings used as such halls," approved March 3d, 1880.

276-277 (1882—68)

"An Act concerning cities in this State," approved March 8th, 1882.

278-283 (1887-168)

"An Act to enable cities of this State to furnish suitable accommodations for the transaction of public business and an armory for the use of the national guard of the State therein organized," approved April 15th, 1887.

278, 280, 288 (1891-396)

"An Act amendatory of and supplementary to the act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business and an armory for the use of the national guard of the State therein organized,' approved April fifteenth, one thousand eight hundred and eighty-seven, and the supplement thereto approved May twenty-eighth, one thousand eight hundred and ninety, and to amend the title of said act and supplement," approved April 14th, 1891.

278, 288 and 289 (1892-455)

"An Act amendatory of and supplementary to an act entitled 'An act amendatory of and supplementary to the act entitled "An act to enable cities in this State to furnish suitable accommodations for the transaction of public business and an armory for the use of the national guard of the State therein organized," approved April fifteenth, one thousand eight hundred and eighty-seven, and the supplements thereto,' approved May twenty-eighth, one thousand eight hundred and ninety, and to amend the title of said act and supplement, approval April fourteenth, one thousand eight hundred and ninety-one," approved April 9th, 1892.

284-287 (1890-404)

"A Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business, and an armory for the use of the national guard of the State therein organized,' approved April fifteenth, one thousand eight hundred and eighty-seven," approved May 28th, 1890.

290-292 (1893-167)

"A Further Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommo-



dations for the transaction of public business' (title as amended), approved April fifteenth, one thousand eight hundred and eighty-seven," approved March 9th, 1893.

290-291 and 302-303 (1900-88)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act to enable cities in this State to furnish suitable accommodations for the transaction of business," title as amended, approved April fifteenth, one thousand eight hundred and eighty-seven," approved March 20th, 1900.

293-294 (1894-149)

"A Further Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business' (title as amended) approved April fifteenth, one thousand eight hundred and eighty-seven," approved April 26th, 1894.

295 (1895-192)

"A Further Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business and an armory for the use of the national guard therein organized,' approved April fifteenth, one thousand eight hundred and eighty-seven," approved March 6th, 1895.

296-301 (1895-777)

"A Further Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business,' title as amended, approved April fifteenth, one thousand eight hundred and eighty-seven," approved April 5th, 1895.

297 (1897-39)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act to enable cities in this State to furnish suitable accommodations for the transaction of public business," title as amended, approved April fifteenth, one thousand eight hundred and eighty-seven,' which supplement was approved April fifth,

eighteen hundred and ninety-five," approved March 16th, 1897.

304 (1902—405)

"A Further Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business,' approval April fifteenth, one thousand eight hundred and eighty-seven," approved April 3d, 1902.

305-307 (1906—532)

"A Further Supplement to an act entitled 'An act to enable cities in this State to furnish suitable accommodations for the transaction of public business,' title as amended approved April fifteenth, one thousand eight hundred and eighty-seven," approved May 17th, 1906.

308 (1893—335)

"An Act providing for the payment of claims incurred in repairing public buildings in any city," approved March 15th, 1893.

309-310 (1896—178)

"An Act concerning cities and regulating insurance on public buildings therein," approved March 26, 1896.

311-313 (1896—351)

"An Act to authorize the purchase and erection of public buildings and the purchase of land thereof in cities," approved May 12th, 1896.

314-318 (1900—77)

"An Act to authorize the purchase of lands and the erection and furnishing of city halls in cities," approved March 19th, 1900.

319-321 (1902—563)

"An Act to enable cities in this State to extend city hall buildings," approved April 3d, 1902.

322-328 (1905—55)

"An Act to authorize cities in this State to insure their buildings," approved March 14th, 1905.

329-334 (1909—275)

"A Supplement to an act entitled 'An act to authorize cities in this State to insure their buildings,' approved

March fourteenth, one thousand nine hundred and five," approved April 19th, 1909.

335-336 (1906-428)

"An Act to authorize any city in this State to change the location of its offices from its city hall to any building owned by it, and providing for payment of the expense incurred thereby and the raising of funds therefor," approved May 14th, 1906.

337-343 (1908-48)

"An Act to authorize cities in this State to acquire lands, by agreement with the owner or owners or by condemnation, and erect and furnish suitable buildings, for city purposes, and to provide the methods, means and funds therefor, including the right to sell lands and buildings now used for such purposes, the proceeds of such sale to be used toward paying for the lands so acquired and erecting and furnishing such new buildings," approved March 27th, 1908.

344-346 (1879-173)

"An Act for the government of cities," approved March 13th, 1879.

347-348 (1881-65)

"An Act providing for the sale of certain lands in cities, subject to dedication for public uses, and vesting title thereto in the purchaser," approved March 3d, 1881.

349-353 (1881-280)

"An Act to authorize cities to sell and convey such titles to lands as may have been acquired by purchasing such lands for the non-payment of assessments for improvements," approved March 25th, 1881.

354-355 (1898-117)

"An Act to authorize cities in this State to adjust and settle questions relating to lands owned, or claimed to be owned, by such cities, the title to which shall be, or shall have been, in dispute, and to provide for the purchase or cancellation by such cities of leasehold or other interest in said lands," approved March 17th, 1898.

356-359 (1900-100)

"An Act to enable the governing body of any city in this State to sell lands which have been dedicated or granted to such city, for the use of such city, or of the inhabitants thereof, and vest title in the purchaser thereof in fee," approved March 20th, 1900.

360 (1904-229)

"An Act to enable cities to sell, exchange, lease and convey public lands which are not used, needed or desirable for public purposes," approved March 28th, 1904.

361-367 (1882-190)

"An Act relating to the improvement of streets and the construction of sewers in cities of this State," passed March 27th, 1882.

368-369 (1886-303)

"A Supplement to an act entitled 'An act relating to the improvement of streets and the construction of sewers in cities of this State,' passed March twenty-seventh, one thousand eight hundred and eighty-two," passed April 27th, 1886.

370-371 (1890-468)

"A Further Supplement to an act entitled 'An act relating to the improvement of streets and the construction of sewers in the cities of this State,' passed March twenty-seventh, one thousand eight hundred and eighty-two," approved June 13th, 1890.

372-374 (1883-27)

"An Act to secure the performance of contracts for city improvements within the time required by such contract," approved February 8th, 1883.

375-377 (1886-346)

"A Supplement to an act entitled 'An act to secure the performance of contracts for city improvements within the time required by such contract,' approved February eighth, eighteen hundred and eighty-three," passed May 11th, 1886.

385-398 (1889-246)

"An Act to provide for street and sewerage improvements in the cities of this State, without increase of municipal indebtedness therefor," approved April 10th, 1889.

399-407 (1894-250)

"An Act concerning street improvements in cities," approved May 9th, 1894.

402 (1898-93)

"An Act to amend an act entitled 'An act concerning street improvements in cities,' approved May ninth, one thousand eight hundred and ninety-four," approved March 15th, 1898.

408-409 (1895-304)

"An Act to provide for the repaving, repairing, and improving of paved streets, and reconstruction of sewers in cities of this State," approved March 14th, 1895.

410-432 (1910-536)

"An Act to provide for certain street and sewer improvements in cities of this State, for the raising of funds for the payment thereof, and for the assessment of the benefits arising from such improvements upon lands and real estate in the vicinity benefited by reason thereof," approved April 12th, 1910.

433 (1878-215)

"An Act in reference to street improvements where a petition or application therefor is required," approved March 29th, 1878.

434-441 (1878-418)

"An Act to authorize the laying out of an avenue in each city of this State not exceeding eighty feet wide, as provided in this act," approved April 5th, 1878.

442-455 (1879-279)

"An Act to enable municipalities to award compensation for lands taken for streets, and to assess the damages caused by improving such streets, and to provide for the assessment of such costs on lands benefited," approved March 14th, 1879.

456 (1880—133)

"An Act for the adjustment and payment of damages to owners of property caused by the alteration in grade of streets in any city of this State where the office of commissioners of streets and sewers exists," approved March 10th, 1880.

457-463 (1884—272)

"An Act to authorize cities in this State in certain cases to extend streets now partly opened and to pay for such extension," approved April 28th, 1884.

464 (1884—341)

"An Act to authorize cities to make permanent improvements in the roadbeds of streets at the general expense," approved May 13th, 1884.

465-466 (1885—302)

"An Act concerning cities, regulating the manner of payment of awards for damages for lands taken for public streets," approved April 28th, 1885.

467-473 (1886—262)

"An Act to authorize the building of tunnels under a navigable water-way or basin in cities," approved April 22d, 1886.

474 (1889—32)

"An Act to empower cities in this State to provide for the payment for repairs made to and upon public streets or public places in such cities," approved February 26th, 1889.

475-476 (1889—378)

"An Act relating to the change of grade of streets in cities of this State," approved May 7th, 1889.

477 (1891—360)

"An Act concerning the laying out and opening of streets in cities," approved April 14th, 1891.

478 (1891—421)

"An Act to provide for the repaving, repairing and improvement of paved streets in cities of this State," approved April 14th, 1891.

479 (1893—330)

"An Act concerning cities," approved March 15th, 1893.

480-487 (1894—485)

"An Act to enable cities of this State to improve any street or streets, or portion thereof, and to provide payment for the cost and expenses of such improvement," passed March 23d, 1894.

488-502 (1895—619)

"An Act concerning cities," approved March 22d, 1895.

503-511 (1895—641)

"An Act concerning cities," approved March 22d, 1895.

512 (1896—42)

"An Act to enable cities to open streets, highways and alleys, and to regulate and accept the same," approved March 5th, 1896.

513 (1897—245)

"An Act to enable cities of this State under certain circumstances to vacate portions of streets and alleys which have not been opened to public use," approved April 22d, 1897.

514 (1897—266)

"An Act providing for the payment of claims incurred in repairing public streets in any city," approved April 23d, 1897.

515-532 (1897—449)

"An Act to provide for the laying out of streets in any city in this State," approved May 25th, 1897.

533-535 (1898—43)

"An Act providing for the repavement of paved streets in cities of this State, and for the issuance of bonds in payment therefor," approved March 2d, 1898.

533 (1903—491)

"An Act to amend an act entitled 'An act providing for the repavement of paved streets in cities of this State, and for the issuance of bonds in payment there-

for,' approved March second, one thousand eight hundred and ninety-eight," approved April 8th, 1903.

536 (1898—108)

"A Supplement to an act entitled 'An act providing for the repavement of paved streets in cities of this State, and for the issuance of bonds in payment therefor,' approved March second, one thousand eight hundred and ninety-eight," approved March 16th, 1898.

537-545 (1898—204)

"An Act authorizing permanent street improvements and to provide for the cost and payment thereof," approved April 2d, 1898.

546-549 (1898—371)

"An Act providing for the grading and curbing of streets, and the flagging of sidewalks in cities of this State, and relating to funds for the payment for the same," approved April 8th, 1898.

550 (1898—419)

"An Act to provide for the submission, in all cities of this State, of all reports of awards for the laying out, opening and other improvement of streets, to the mayor for his approval in the same manner as ordinances," approved April 21st, 1898.

551-561 (1898—466)

"An Act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expense of the same," approved June 13th, 1898.

551, 552 and 561 (1899—275)

"An Act to amend an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expense of the same,' approved June thirteenth, one thousand eight hundred and ninety-eight," approved March 23d, 1899.

551 (1901—179)

"An Act to amend an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the



expense of the same,' approved June thirteenth, one thousand eight hundred and ninety-eight," approved March 20th, 1901.

559 (1906—439)

"An Act to amend an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expenses of the same,' approved June thirteenth, one thousand eight hundred and ninety-eight," approved May 15th, 1906.

560 (1907—157)

"An Act to amend an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expenses of the same,' approved June thirteenth, one thousand eight hundred and ninety-eight," approved April 16th, 1907.

562-563 (1905—64)

"A Supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expense of the same,' approved June thirteenth, one thousand eight hundred and ninety-eight," approved March 21st, 1905.

564 (1905—313)

"A Supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expense of the same,' approved June thirteenth, one thousand eight hundred and ninety-eight," approved April 17th, 1905.

565 (1906—698)

"An Act to authorize and validate bonds heretofore or hereafter issued under authority of an act entitled 'An act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expense of the same,' approved June thirteenth, eighteen hundred and ninety-eight, and the acts amendatory thereof and supplemental thereto," approved June 19th, 1906.

566-574 (1899-492)

"An Act to enable adjoining cities in this State to construct a bridge or viaduct for the purpose of more convenient access between such cities," approved March 24th, 1899.

575 (1899-497)

"An Act concerning cities," approved March 24th, 1899.

576 (1901-76)

"An Act to enable cities to open streets, roads, highways and alleys, and to vacate, regulate and accept the same," approved March 13th, 1901.

577-590 (1904-205)

"An Act respecting the widening and improving of the streets and thoroughfares of cities in this State, and providing for the payment of the expenses of the same," approved March 28th, 1904.

591-597 (1905-317)

"An Act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this State," approved April 17th, 1905.

591 (1906-152)

"An Act to amend an act entitled 'An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys and other public places in cities of this State,' approved April seventeenth, one thousand nine hundred and five," approved April 9th, 1906.

598 (1906-48)

"An Act concerning the publication of notice of intention to improve streets, avenues and highways in cities of this State," approved March 26th, 1906.

599-601 (1906-674)

"An Act relating to proceedings to improve, by paving and other improvements, streets, roads, avenues, lanes and alleys in certain cities in this State," approved June 12th, 1906.

602-604 (1907-183)

"An Act to provide for the protection of improved streets in cities of this State, to authorize cities to require water, sewer and gas connections to be made before the improvement of any street, and empowering such city to make water, sewer and gas connections and the cost thereof a lien upon lands," approved April 22d, 1907.

605 (1907-278)

"An Act concerning the paving and repaving of streets, avenues and public highways in cities of this State, and permitting the use of wood block pavement on such streets and highways," approved May 6th, 1907.

606-609 (1907-466)

"An Act providing for the reimprovement of any street, avenue, road or highway, or the portion of such street, avenue, road or highway in any city which has been heretofore improved and for which improvement assessments for benefits have been heretofore levied and imposed, and for the issue of bonds to pay for said improvement," approved May 15th, 1907.

610-612 (1884-336)

"An Act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof," approved May 10th, 1884.

613 (1885-181)

"A Supplement to an Act entitled 'An act to authorize cities to order and regulate the construction of sidewalks, and to provide for the payment of the expense thereof,' approved May tenth, one thousand eight hundred and eighty-four," passed March 31st, 1885.

614 (1899-19)

"A Supplement to an act entitled 'An Act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof,' approved May tenth, one thousand eight hundred and eighty-four," approved March 7th, 1899.

615 (1889—227)

"An Act in relation to the repairing of sidewalks in the cities of this State," approved April 9th, 1889.

616-618 (1895—555)

"An Act authorizing cities of the first and second class to make necessary repairs to curbs and sidewalks and assess the cost thereof upon the property benefited," approved March 22d, 1895.

619 (1899—175)

"An Act concerning cities," approved March 21st, 1899.

620-627 (1908—387)

"An Act to authorize cities to construct and repair sidewalks and curbs, and to provide for the payment of the cost thereof," approved April 13th, 1908.

628-629 (1909—198)

"A Supplement to an act entitled 'An Act to authorize cities to construct and repair sidewalks and curbs, and to provide for the payment of the cost thereof,' approved April thirteenth, one thousand nine hundred and eight," approved April 16th, 1909.

• 630-631 (1909—124)

"An Act relating to paving, flagging, maintaining, repairing and otherwise improving sidewalks in cities in this State," approved April 13, 1909.

632 (1883—229)

"An Act authorizing the municipal board of any city having cognizance and control of the cleaning of streets to terminate contracts in reference thereto prior to the expiration thereof as fixed in such contract, when the contractor and his bondsmen shall consent thereto," approved March 23d, 1883.

633-634 (1890—76)

"An Act relative to the cleaning of streets and the removal of ashes and garbage in cities of this State," approved March 12th, 1890.

635-637 (1895-101)

"An Act concerning the cremation of garbage, and authorizing the acquisition of lands and the erection of crematories thereon, in the cities of this State," approved February 20th, 1895.

638 (1896-56)

"An Act concerning the collection, removal and disposal of ashes and garbage in cities of this State and providing for the payment of the cost thereof," approved March 9th, 1896.

638 (1902-200)

"An Act to amend an act entitled 'An Act concerning the collection, removal and disposal of ashes and garbage in cities of this State and providing for the payment of the cost thereof,' approved March ninth, one thousand eight hundred and ninety-six," approved March 27th, 1902.

639 (1900-293)

"An Act to permit cities to have the streets thereof cleaned by contract," approved March 23d, 1900.

640-642 (1910-221)

"An Act to enable any city of this State to lease or acquire lands and to erect buildings thereon for the collection of ashes and refuse, and to contract with street railway companies for the transportation of such ashes and refuse over their railroad lines within such city," approved April 8th, 1910.

643 (1878-344)

"An Act respecting assessments for constructing sewers or continuations of sewers running through adjoining cities," approved April 5th, 1878.

644 (1880-277)

"An Act granting to cities an unobstructed outlet to the culverts in their streets," approved March 12th, 1880.

645, 646 and 648 (1882-60)

"An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof," approved March 8th, 1882.

646 (I). 654, 655, 656, 657 and 658 (1887—233)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 28th, 1887.

646 (IX) (1901—77)

"An Act to amend an Act entitled 'An Act to authorize cities to construct sewers and drains and provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved March 13th, 1901.

646 (VI) (1903—704)

"An Act to amend an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, eighteen hundred and eighty-two," approved April 14th, 1903.

647 (1909—462)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 21st, 1909.

649-651 (1886—119)

"A Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and provide for the payment thereof,' approved March eighth, one thousand eight hundred and eighty-two," passed March 23d, 1886.

652-653 (1886—398)

"A Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," passed June 1, 1886.

659 (1889—379)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains and

to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved May 7th, 1889.

660-662 (1890-213)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 7th, 1890.

663-664 (1893-230)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved March 11th, 1893.

665 (1894-68)

"A Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 19th, 1894.

666-667 (1897-25)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved March 1st, 1897.

668 (1897-228)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains and to provide for the payment of the costs thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 16th, 1897.

669 (1898-340)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 5th, 1898.

670-672 (1899—224)

"A Further Supplement to 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved March 22d, 1899.

673 (1902—343)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved April 3d, 1902.

674-677 (1903—58)

"A Further Supplement to 'An Act to authorize cities to construct sewers and drains and to provide for the payment of the cost thereof,' approved March eighth, eighteen hundred and eighty-two," approved March 13th, 1903.

675 (1904—516)

"An Act to amend an Act entitled 'A further supplement to "An Act to authorize cities to construct sewers and drains and to provide for the payment of the cost thereof," approved March eighth, one thousand eight hundred and eighty-two,' said act approved March thirteenth, one thousand nine hundred and three," approved April 19th, 1904.

678 (1904—217)

"A Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains and to provide for the payment of the cost thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved March 28th, 1904.

679 (1906—330)

"A Further Supplement to an Act entitled 'An Act to authorize cities to construct sewers and drains and to provide for the cost of the payment thereof,' approved March eighth, one thousand eight hundred and eighty-two," approved May 2d, 1906.



680-682 (1883-25)

"An Act to authorize the construction of a connecting sewer in cities, in certain cases, and providing for the payment thereof," approved February 8th, 1883.

683-684 (1883-226)

"An Act in relation to sewers, portions of which lie in two adjoining cities," approved March 23d, 1883.

685 (1883-228)

"An Act concerning cities in this State," approved March 23d, 1883.

686 (1884-281)

"An Act concerning the construction of sewers in cities of this State," approved April 30th, 1884.

687-693 (1885-123)

"An Act to enable cities to build main sewers in certain districts, and to acquire private lands for that purpose," passed March 24th, 1885.

694-695 (1888-260)

"A Supplement to an Act entitled 'An Act to enable cities to build main sewers in certain districts, and to acquire private lands for that purpose,' passed March twenty-fourth, one thousand eight hundred and eighty-five," approved March 26th, 1888.

696 (1888-378)

"A Supplement to an Act entitled 'An Act to enable cities to build main sewers in certain districts, and to acquire private lands for that purpose,' passed March twenty-fourth, one thousand eight hundred and eighty-five," approved April 2d, 1888.

697-701 (1886-78)

"An Act to authorize cities to commute and adjust for a fixed sum the payment by abutting land owners of special sewer taxes," passed March 9th, 1886.

702-707 (1886-239)

"An Act concerning cities, authorizing the building of sewers," approved April 16th, 1886.

708-711 (1887-231)

"An Act to provide for the making and collection of benefit assessments for the construction of sewers in

the cities of this State in certain cases," approved April 28th, 1887.

712-722 (1890-85)

"An Act to provide for the reconstruction of main outlet sewer heretofore constructed at the joint expense of two cities," approved March 18th, 1890.

715 and 718 (1891-398)

"An Act to amend an Act entitled 'An Act to provide for the reconstruction of main outlet sewer heretofore constructed at the joint expense of two cities,' approved March eighteenth, one thousand eight hundred and ninety," approved April 14th, 1891.

723-724 (1891-400)

"A Supplement to an Act entitled 'An Act to provide for the reconstruction of main outlet sewer heretofore constructed at the joint expense of two cities,' approved March eighteenth, one thousand eight hundred and ninety," approved April 14th, 1891.

725-727 (1892-254)

"A Further Supplement to an Act entitled 'An Act to provide for the reconstruction of main outlet sewer heretofore constructed at the joint expense of two cities,' approved March eighteenth, one thousand eight hundred and ninety," approved March 24th, 1892.

728-732 (1897-282)

"A Further Supplement to an Act entitled 'An Act to provide for the reconstruction of main outlet sewers heretofore constructed at the joint expense of two cities,' approved March eighteenth, one thousand eight hundred and ninety," approved April 23d, 1897.

733-765, 770-771, 774-777, 779-786 (1890-192)

"An Act to provide for drainage and sewerage in cities of this State," approved April 7th, 1890.

733 (1894-177)

"An Act to amend an Act entitled 'An act to provide for drainage and sewerage in cities of this State,' ap-

proved April seventh, one thousand eight hundred and ninety," approved May 1st, 1894.

737 (1907—167)

"An Act to amend an Act entitled 'An Act to provide for drainage and sewerage in the cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved April 17th, 1907.

742 (1897—337)

"An Act to amend an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved April 26th, 1897.

754 and 756 (1906—414)

"An Act to amend an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved May 3, 1906.

754 and 771 (1895—298)

"An Act to amend an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved March 14th, 1895.

756 (1897—339)

"A Supplement to an Act entitled 'An Act to provide for drainage and sewerage in the cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved April 26th, 1897.

766-769 (1910—355)

"A Supplement to the Act entitled 'An Act to provide for drainage and sewerage in the cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved April 11th, 1910.

772-773 (1908—262)

"A Supplement to the Act entitled 'An Act to provide for drainage and sewerage in the cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved April 10th, 1908.

778 (1908—14)

"An Act to authorize and validate bonds heretofore or hereafter issued pursuant to proceedings taken or which purport to be taken under an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety, and acts amendatory thereof and supplemental thereto, and to validate such proceedings," approved March 4, 1908.

779 (1894—131)

"An Act to amend an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved April 24, 1894.

785 (1899—71)

"An Act to amend an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved March 16th, 1899.

787-788 (1895—297)

"A Further Supplement to an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved March 14th, 1895.

789 (1899—45)

"A Supplement to an Act entitled 'An Act to provide for drainage and sewerage in cities of this State,' approved April seventh, one thousand eight hundred and ninety," approved March 15th, 1899.

790-795 (1893—474)

"An Act to provide for the efficient sewerage of lowlands in the cities of this State," approved March 27th, 1893.

796-798 (1901—155)

"A Supplement to an Act entitled 'An Act to provide for the efficient sewerage of lowlands in cities of this State,' approved March twenty-seventh, one thousand eight hundred and ninety-three," approved March 20th, 1901.

799-804 (1894-492)

"An Act to enable cities to construct sewers through ancient unnavigable creeks or water courses," passed May 24th, 1894.

805-811 (1896-159)

"An Act respecting sewers and sewer connections in cities of this State," approved March 26th, 1896.

808 and 810 (1907-111)

"An Act to amend an Act entitled 'An Act respecting sewers and sewer connections in cities of this State,' approved March twenty-sixth, one thousand eight hundred and ninety-six," approved April 13th, 1907.

812-815 (1897-367)

"An Act to authorize the re-institution, amendment and perfection of informal, insufficient, defective, deficient, irregular or illegal proceedings for the building or construction of any sewers, drains and receiving basins in, through and upon any street, road or avenue, in any city, or any part thereof, in this State, and assessments for or on account thereof, and for the collection of said assessments," approved May 11th, 1897.

816 (1902-804)

"An Act to authorize cities to purchase a sewer system already in operation in any such city," approved April 24th, 1902.

817-822 (1904-88)

"An Act concerning the extension of sewers and sewer systems in cities of this State," approved March 22d, 1904.

823-825 (1905-54)

"An Act to enable cities of this State to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city," approved March 14th, 1905.

826-829 (1907—267)

"An Act to authorize cities of this State through which any river, stream or creek runs, and into which the sewerage of any city empties, to build and construct intercepting sewers to receive all such sewage to be disposed of in such manner as shall be deemed proper, and to provide for the alteration of a general system of sewerage and drainage in cities, and to cleanse and otherwise improve such rivers, streams or creeks, and to issue bonds to meet the expense of such work," approved April 25, 1907.

830-833 (1907—269)

"An Act to enable cities to widen, deepen and improve the streams, creeks or rivers which are the outlets of the natural drainage or storm or surface water therein, and to erect retaining walls on the banks of the same, and to condemn lands along such streams, creeks or rivers necessary to carry into effect the provisions of this act, and to issue bonds for the cost of such improvement," approved April 25th, 1907.

834-842 (1907—677)

"An Act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and providing for collecting rentals for the use of such sewers and sewer systems," passed October 11th, 1907.

836 and 841 (1908—286)

"An Act to amend an Act entitled 'An Act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and providing for collecting rentals for the use of such sewers and sewer systems,' passed October the eleventh, one thousand nine hundred and seven," approved April 11th, 1908.

843 (1909—311)

"An Act to validate, authorize and confirm bonds heretofore or hereafter issued, or the issuance of which has been heretofore authorized, or which may be hereafter authorized in any city of this State pursuant to

proceedings taken or to be taken under color of the provisions of an act entitled 'An Act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and providing for collecting rentals for the use of such sewers and sewer systems,' passed October eleventh, one thousand nine hundred and seven, and the acts amendatory thereof and supplementary thereto, and to validate such proceedings," approved April 20th, 1909.

844-856 (1909-138)

"An Act to empower municipalities to establish and maintain plants for the treatment, disposal or rendering of sewage," approved April 14th, 1909.

857 (1909-274)

"A Supplement to an Act entitled 'An Act to empower municipalities to establish and maintain plants for the treatment, disposal or rendering of sewage,' approved April fourteenth, nineteen hundred and nine," approved April 19th, 1909.

858-862, 864-874 (1876-366) (Rev. 1877, p. 720)

"An Act to enable cities to supply the inhabitants thereof with pure and wholesome water," approved April 21, 1876.

863 (1886-339)

"A Further Supplement to 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, one thousand eight hundred and seventy-six," passed May 4th, 1886.

865, 869, 870, 875, 876 (1877-119)

"A Supplement to 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, eighteen hundred and seventy-six," approved March 9th, 1877.

865 (1900-44)

"An Amendment to 'A Supplement to an Act entitled 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' which act was approved April twenty-first, one thousand eight hundred and seventy-six,' and which supplement was approved

March ninth, one thousand eight hundred and seventy-seven," approved March 13th, 1900.

870 (1909—29)

"An Act to amend an Act entitled 'A Supplement to an Act entitled "An act to enable cities to supply the inhabitants with pure and wholesome water," which act was approved April twenty-first, one thousand eight hundred and seventy-six,' and which supplement was approved March ninth, one thousand eight hundred and seventy-seven," approved March 16th, 1909.

874 (1906—41)

"An Act to amend an Act entitled 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, one thousand eight hundred and seventy-six," approved March 24th, 1906.

877 (1879—168)

"A Supplement to an Act entitled 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, one thousand eight hundred and seventy-six," approved March 13th, 1879.

878 (883—98)

"A Further Supplement to the Act entitled 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, anno Domini one thousand eight hundred and seventy-six," approved March 13th, 1883.

879-880 (1883—176)

"A Further Supplement to 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water' (Revision), approved April twenty-first, one thousand eight hundred and seventy-six," approved March 23d, 1883.

880 (1906—512)

"An Act to amend an Act entitled 'A Further Supplement to "An Act to enable cities to supply the inhabitants thereof with pure and wholesome water," approved April twenty-first, one thousand eight hundred



and seventy-six,' approved March twenty-third, one thousand eight hundred and eighty-three," approved May 17th, 1906.

881-885 (1904-361)

"A Supplement to an act entitled 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, one thousand eight hundred and seventy-six," approved March 30th, 1904.

889 (1881-122)

"An Act concerning cities in this State," approved March 16th, 1881.

890 (1881-156)

"A Supplement to the Act entitled 'An Act concerning cities in this State,' approved March sixteenth, one thousand eight hundred and eighty-one," approved March 21st, 1881.

891-892 (1882-83)

"An Act concerning cities," approved March 10, 1882.

893 (1885-66)

"An Act relating to arrearage of water rents or charges for the use of water furnished by cities wherein water works are owned and controlled by the city authorities," approved March 9, 1885.

894 (1885-267)

"An Act to authorize and empower cities owning and controlling water works to make a contract with any city, town or township in this State for the distribution and use of water," approved April 20, 1885.

895-905 (1886-272)

"An Act to enable cities in this State to obtain a supply of water from existing city water works, and to validate certain contracts and obligations heretofore incurred by such cities for that purpose," passed April 22, 1886.

906-908 (1889-146)

"An Act to authorize cities in this State to purchase pumps, where those in use are not sufficient for the

necessary and proper distribution of water for public uses in said cities," approved April 2, 1889.

909-910 (1890-243)

"An Act in relation to the power and authority of aqueduct boards or other water boards having the control of the water supply in the cities of this State, giving such boards power to contract for and construct works, to purchase or condemn lands, waters and rights, and to use for such purposes certain funds in their possession," passed April 14, 1890.

911-917 (1891-41)

"An Act to enable boards having the control of the water supply in the cities of this State to construct reservoirs for the storage of water," approved February 25, 1892.

914-915 (1904-62)

"A Supplement to an Act entitled 'An Act to enable boards having control of the water supply in the cities of this State to construct reservoirs for the storage of water,' approved February twenty-fifth, one thousand eight hundred and ninety-two," approved March 16th, 1904.

914-915 (1905-37)

"An Act to amend an Act entitled 'An Act to enable boards having control of the water supply in the cities of this State to construct reservoirs for the storage of water,' approved February twenty-fifth, one thousand eight hundred and ninety-two," approved March 8th, 1905.

918-922 (1893-115)

"An Act enabling cities to construct connecting pipe lines or mains," approved March 8th, 1893.

923 (1898-438)

"An Act providing for the payment of claims incurred in the construction and maintenance of the water works in any city," approved May 18th, 1898.

935-939 (1904-85)

"An Act authorizing cities of this State to extend existing water works owned by such cities, and to issue

bonds for the cost of such extensions," approved March 22, 1904.

940 (1905—381)

"A Supplement to an Act entitled 'An Act authorizing cities of this State to extend existing water works owned by such cities, and to issue bonds for the cost of such extension,' approved March twenty-second, one thousand nine hundred and four," approved April 28th, 1905.

941-946 (1904—188)

"An Act enabling and empowering cities now or hereafter acquiring their water-supply from artesian wells to construct connecting water-pipe lines and mains and artesian wells, and to purchase and erect or set up meters, machinery and other fixtures, and to purchase and condemn lands, waters and rights and otherwise to improve, enlarge and extend the water supply and water works plant of such cities," approved March 28th, 1904.

947-953 (1904—278)

"An Act to authorize cities to enlarge or construct water mains and to provide for the payment thereof," approved March 28th, 1904.

954-968 (1906—664)

"An Act to enable any city in this State, other than cities of the first class, to construct, purchase or otherwise acquire water works for the purpose of supplying pure and wholesome water for public and private use in said city or in adjoining municipalities, and providing for the maintenance of the same," approved June 8th, 1906.

969-979 (1907—57)

"An Act to authorize cities having a public water supply derived from sources beyond the city limits to protect the same from pollution by providing for any portion of the territory from which such water is derived or through which it flows a system of sewers or drains in order to take up, carry off and dispose of the sewage and other polluting matter, and providing also for the raising and expenditure of the money necessary for this purpose," approved April 4th, 1907.

983 (1907—408)

"An Act prohibiting the sale or lease by any city of this State of its municipal water, light, heat, power or other public utility plant or plants, except by assent of a majority of the legal voters of said city voting at a special election to be held therein," approved May 13, 1907.

984-985. (1908—609)

"An Act to authorize cities owning a public water supply derived from sources beyond the limits of such city to issue bonds to acquire additional lands and real estate, water and water rights located within or adjacent to the territory of the water-shed from which such source of public water supply is derived, and to acquire the water rights necessary for the use of the water therefrom," approved April 16th, 1908.

986-992 (1909—416)

"An Act relating to the construction of purification and filtration plants in connection with the public water supply in certain cities of this State, and providing means for the payment of the cost thereof," approved April 21st, 1909.

993 (1878—339)

"An Act concerning cities," approved April 5th, 1878.

994 (1890—276)

"An Act to provide for the deficiencies in appropriations for lighting the streets of cities for the current year," passed April 28th, 1890.

995-997 (1906—157)

"An Act to authorize cities of this State having a plant, appliances or machinery designed or used for furnishing a public water supply, to utilize, use and develop any power which may be derived therefrom and to develop additional power to furnish electrical energy for lighting or other public use, and to provide the funds necessary for this purpose," approved April 10, 1906.

998-1005 (1906—711)

"An Act to enable and empower cities to construct, maintain and operate a municipal light, heat and power

plant or plants and to purchase all necessary real estate and works and machinery for supplying light, heat and power for public and private use in such city," approved July 5th, 1906.

1022-1023 (1878-221)

"An Act to authorize the common council or similar municipal body in any city to build and maintain a dock or wharf opposite said city, and at the end of any street therein," approved March 29th, 1878.

1024-1027 (1888-447)

"An Act to authorize cities in this State to purchase lands for the erection of and to construct public docks, wharves and piers, and to purchase and improve rights of way leading thereto, and to purchase lands lying contiguous thereto, so as to make said lands, docks, wharves and piers accessible," approved April 17th, 1888.

1024, 1025, 1026 (1901-203)

"An Act to amend an Act entitled 'An Act to authorize cities in this State to purchase lands for the erection of and to construct public docks, wharves and piers, and to purchase and improve rights of way leading thereto, and to purchase lands lying contiguous thereto, so as to make said lands, docks, wharves and piers accessible,' approved April seventeenth, one thousand eight hundred and eighty-eight," approved March 21st, 1901.

1068-1069 (1886-212)

"An Act to authorize cities of this State to purchase, construct and maintain a public bath," approved April 12, 1886.

1070-1073 (1901-271)

"An Act to authorize the establishment and maintenance of free public baths and gymnasiums in the cities of this State," approved March 22, 1901.

1070, 1071, 1073 (1902-690)

"An Act to amend an Act entitled 'An Act to authorize the establishment and maintenance of free public baths and gymnasiums in the cities of this State,' ap-

proved March twenty-second, one thousand nine hundred and one," approved April 9, 1902. (Printed in session laws as April 9, 1901.)

1074-1077 (1876-293) (Rev. of '77-718)

"An Act relating to giving bonds for assessments in cities and providing a mode of carrying the indebtedness thereby continued," approved April 21, 1876.

1078 (1876-296)

"An Act respecting assessments in cities," approved April 21, 1876.

1079 (1876-378).

"An Act relating to reassessments of benefits in cities," approved April 21st, 1876.

1079 (1880-59)

"A Supplement to an Act entitled 'An Act relating to reassessments of benefits in cities,' approved April twenty-first, one thousand eight hundred and seventy-six," approved February 27th, 1880.

1080-1082 (1877-23)

"An Act relating to the refunding, by municipal corporations in this State, of moneys paid to said corporations by owners of property for assessments for benefits for local improvements, in certain cases," passed February 27th, 1877.

1083-1086 (1877-55)

"A Further Act in relation to assessments in cities," approved March 7th, 1877.

1087 (1877-174)

"An Act to amend an act entitled 'A further Act in relation to assessments in cities,' approved March seventh, eighteen hundred and seventy-seven," approved March 9th, 1877.

1088-1089 (1877-183)

"An Act relating to the refunding, by commissioners of streets and sewers, or any other commissioners in any city in this State, of moneys paid to any such commissioners by owners of property for assessments for benefits, for local improvements, where said assessments

have been subsequently set aside," approved March 9th, 1877.

1090 (1878—261)

"An Act concerning bonds given for the payment of assessments in cities," approved April 3d, 1878.

1091-1092 (1880—251)

"An Act concerning past due assessments in certain cities of this State," approved March 11th, 1880.

1093 (1881—80)

"An Act requiring the refunding of moneys overpaid in certain cases," approved March 3d, 1881.

1093 (1882—162)

"A Supplement to an Act entitled 'An Act requiring the refunding of moneys overpaid in certain cases,' approved March third, one thousand eight hundred and eighty-one," approved March 23d, 1882.

1094-1096 (1883—196)

"An Act relating to reassessments in cases where a former assessment is or has been vacated, not as a whole, but as to one or several prosecutors only," approved March 23d, 1883.

1099-1102 (1888—471)

"An Act to authorize and empower commissioners of assessments in cities of this State to assess for damages on street improvements," approved April 23d, 1888.

1103 (1890—114)

"An Act to authorize cities to provide the assessments for benefits for street improvement on the lands benefited," approved March 24th, 1890.

1104-1105 (1891—73)

"An Act relating to the collection of assessments for street and other improvements in the cities of this State," approved March 4th, 1891.

1106-1108 (1893—83)

"An Act concerning assessments for benefits and awards for damages in the opening of streets in cities

of this State, and providing for a new assessment and award," approved March 1st, 1893.

1109-1110 (1893—279)

"An Act providing for the making of assessments, in certain cases, of benefits conferred by local improvements in cities of this State," approved March 14th, 1893.

1111-1112 (1896—360)

"An Act relating to the confirmation of assessments for local improvements in certain cities in this State," approved May 12th, 1896.

1113 (1899—19)

"An Act concerning boards of assessors or other boards having charge and control of assessments for public improvements in cities of this State," approved March 8th, 1899.

1114-1119 (1903—481)

"An Act to provide for the assessment of the cost and expense of the construction of sewers, drains and receiving basins, or any or either of them, heretofore laid or built, or hereafter to be laid or built, within the territorial limits of the cities of this State where the proceedings taken for the construction or assessment thereof have been, or may hereafter be, informal or defective, or both," approved April 8th, 1903.

1121-1123 (1906—66)

"An Act concerning assessments for benefits conferred by the construction of sewers and drains in cities of this State," approved March 27th, 1906.

1125-1126 (1885—170)

"An Act concerning unexpended balances of taxes collected in cities," approved March 25th, 1885.

1135-1142 (1904—259)

"An Act regulating the receipt and disbursement of money and the passage of ordinances pertaining thereto in any city of this State," approved March 28th, 1904.



1143 (1905—41)

"An Act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities," approved March 8th, 1905.

1144-1145 (1876—141) (Rev. 1877, p. 714)

"An Act to authorize cities to issue bonds to pay their floating debts," approved April 13th, 1876.

1147 (1876—274) (Rev. 1877, p. 716)

"An Act to authorize the issue of bonds for completing and extending water works in cities," approved April 21st, 1876.

1163-1168 (1878—416)

"An Act concerning public improvements in certain cities of this State," approved April 5th, 1878.

1186-1190 (1885—290)

"An Act to authorize cities in this State to issue bonds for certain purposes," approved April 20, 1885.

1195-1197 (1886—147)

"An Act to enable cities in this State to refund bonds falling due in one thousand eight hundred and eighty-six, for which no sinking fund has been provided, and to provide a sinking fund therefor," passed March 30th, 1886.

1198-1200 (1887—143)

"An Act authorizing cities to issue bonds for the purpose of acquiring immediate title to property in certain cases," approved April 8th, 1887.

1212 (1888—537)

"An Act to enable cities in this State to pay past-due improvement certificates out of the general funds of such cities," approved April 24th, 1888.

1213-1217 (1889—457)

"An Act to authorize cities in this State to issue bonds to secure a new water supply, and to refund bonds heretofore issued in certain cases," approved May 14th, 1889.

1218-1220 (1891-177)

"An Act authorizing the cities of this State to renew maturing water bonds," approved March 17th, 1891.

1221-1225 (1891-486)

"An Act to authorize cities to issue bonds for the funding of water debts and to provide for their payment," approved April 17th, 1891.

1226-1227 (1892-19)

"An Act to authorize cities to issue temporary bonds in certain cases," approved February 8th, 1892.

1228-1230 (1892-87)

"An Act authorizing the cities of this State to issue bonds to exchange for or pay matured water bonds," approved March 10, 1892.

1231-1235 (1892-283)

"An Act to authorize cities of this State to issue bonds to provide for the payment of indebtedness heretofore incurred for street and sewer improvements, in anticipation of the collection of assessments," approved March 26th, 1892.

1236 (1893-266)

"An Act concerning the rate of interest on certain municipal bonds," approved March 14th, 1893.

1237-1238 (1894-300)

"An Act to authorize the cities of the second class of this State to fund their unfunded or floating indebtedness," approved May 14th, 1894.

1237 (1895-122)

"An Act to amend an Act entitled 'An Act to authorize the cities of the second class of this State to fund their unfunded or floating indebtedness,' approved May fourteenth, one thousand eight hundred and ninety-four," approved February 26th, 1895.

1239-1241 (1895-464)

"An Act to authorize cities in this State to issue bonds in certain cases," approved March 22, 1895.

1244-1247 (1898—364)

"An Act providing for the payment of the costs and expenses incurred in repairing and repaving paved streets in any city," approved April 8th, 1898.

1248 (1900—68)

"An Act to authorize cities to issue bonds to obtain money to rebuild sewers," approved March 19th, 1900.

1249-1257 (1900—139)

"An Act to authorize cities in this State to provide means to purchase a new water-supply therefor by the issuance or assumption of bonds," approved March 22, 1900.

1258-1260 (1901—227)

"An Act to authorize cities to issue bonds for the funding of water debts and to provide for their payment," approved March 21st, 1901.

1261-1264 (1902—13)

"An Act authorizing cities to renew maturing bonds," approved March 4th, 1902..

1265-1266 (1902—561)

"An Act to authorize cities to issue bonds for the purpose of placing police, telegraph and telephone wires, and fire telegraph and telephone wires owned by cities, in conduits located in the streets, alleys and highways of cities," approved April 3d, 1902.

1267-1270 (1902—682)

"An Act authorizing cities to renew maturing sewer, drain and street improvement bonds," approved April 9th, 1902.

1271-1272 (1902—782)

"An Act to authorize cities of this State to borrow money for all purposes for which they are now authorized to raise money by taxation, and to secure the payment thereof by the issuing of bonds," approved April 22, 1902.

1273-1274 (1904—86)

"An Act to authorize any city of this State to raise money, either by temporary loans or by the issue or

issues of bonds for any sum not exceeding fifteen per centum of the taxable value of the real and personal property rated for assessment in such city, and to use the same for the purpose of retiring the floating or matured bonded indebtedness, for the enlargement and improvement of the public buildings, water works, sewerage system and for other lawful purposes of such city," approved March 22, 1904.

1275-1276 (1905-35)

"An Act to authorize cities in this State to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided," approved March 8th, 1905.

1277-1278 (1905-375)

"An Act authorizing the payment before maturity of bonds issued by any of the cities of this State for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead," approved April 28th, 1905.

1280-1282 (1908-173)

"An Act authorizing cities of this State to issue and sell water bonds and providing for the application of the proceeds resulting from the sale thereof and providing for the payment of the principal of, and interest on, said bonds," approved April 8th, 1908.

1283-1285 (1909-481)

"An Act authorizing cities of this State to issue and sell water bonds, and providing for the application of the proceeds resulting from the sale thereof, and providing for the payment of the principal of, and interest on, said bonds," approved April 21st, 1909.

1291 (1878-260)

"An Act creating a sinking fund for the payment of certain assessments in cities," approved April 3d, 1878.

1292-1298 (1879-270)

"An Act to enable cities to create and maintain a sinking fund for the redemption of their bonded indebtedness," approved March 14th, 1879.

1299 (1881—189)

"An Act authorizing the establishment of sinking funds in cities in this State," approved March 23d, 1881.

1300 (1882—204)

"An Act to authorize additions to sinking funds in cities," approved March 28th, 1882.

1301—1304 (1883—221)

"An Act relating to sinking funds in cities," approved March 23d, 1883.

1305—1307 (1884—107)

"An Act concerning cities of this State," approved March 27th, 1884.

1308 (1886—184)

"An Act to authorize commissioners of the sinking fund in cities of this State to transfer funds held by them in certain cases," approved April 5th, 1886.

1309 (1890—289)

"An Act to authorize the cancellation of certain bonds and obligations of cities of this State held by the commissioners of sinking funds thereof," approved May 5th, 1890.

1310 (1890—331)

"An Act fixing the compensation of commissioners of the sinking fund in cities of this State," passed May 12th, 1890.

1311 (1895—69)

"An Act authorizing the sinking fund commissioners of certain cities in this State to cancel the municipal bonds of such cities held by them for the redemption of the debts of their respective cities," approved March 12th, 1895.

1312—1315 (1898—139)

"An Act authorizing cities to create a sinking fund commission and defining their powers," approved March 21, 1898.

1312 (1899—30)

"An Act to amend an act entitled 'An act authorizing cities to create a sinking fund commission and defining

their powers,' approved March twenty-first, one thousand eight hundred and ninety-eight," approved March 9th, 1899.

1316-1322 (1880-150)

"An Act in relation to cities," approved March 10, 1880.

1323-1328 (1881-127)

"An Act in relation to encumbered cities," approved March 17th, 1881.

1326 (1881-212)

"Supplement to an act entitled 'An act in relation to encumbered cities,' approved March seventeenth, one thousand eight hundred and eighty-one," approved March 24th, 1881.

1329-1330 (1883-34)

"A Supplement to an act entitled 'An act in relation to encumbered cities,' approved March seventeenth, one thousand eight hundred and eighty-one," approved February 14th, 1883.

1331-1334 (1884-92)

"A Further Supplement to an act entitled 'An act in relation to encumbered cities,' approved March seventeenth, one thousand eight hundred and eighty-one," passed March 25th, 1884.

1335-1336 (1885-75)

"An Act to secure the payment of the interest and principal of bonds now issued and that may be issued in pursuance of an act entitled 'An act in relation to encumbered cities,' approved March seventeenth, one thousand eight hundred eighty-one," passed March 10, 1885.

1347-1352 (1894-387)

"An Act providing for the formation and establishment of wards in cities of the first class in this State," passed May 16th, 1894.

1353 (1895-346)

"A Supplement to an act entitled 'An act providing for the formation and establishment of wards in cities of the first class in this State,' approved May sixteenth,

one thousand eight hundred and ninety-four." approved March 19th, 1895

1354 (1883—36)

"An Act prescribing the manner of payment of salaries or wages of officers and employees of cities of the first class," approved February 14, 1883.

1357-1358 (1890—52)

"An Act in relation to the salary of the comptroller in certain cities of this State," passed March 5th, 1890.

1360-1361 (1893—117)

"An Act concerning the compensation of the city collector of any city of the first class in this State," approved March 8th, 1893.

1372 (1896—169)

"An Act relating to the time of holding the municipal or charter elections and the commencement of the terms of office of municipal officers elected in cities of the first class in this State," approved March 26th, 1896.

1382-1383 (1910—545)

"An Act concerning the compensation of the members of the board of aldermen and common council in cities of the first class," approved April 12th, 1910.

1441 (1909—55)

"An Act to amend an act entitled 'An act respecting cities of the first class and respecting the publication of ordinances, notices and other matters required by law to be published in newspapers therein,' approved April first, one thousand eight hundred and ninety-five," approved April 1st, 1909.

1449 (1894—331)

"An Act to regulate and prevent the erection of frame or wooden buildings in cities of the first class," approved May 15th, 1894.

1450 (1899—271)

"An Act concerning the granting of permits for street parades and for the carrying of revolvers or other weapons by individuals in cities of the first class in this State," approved March 23d, 1899.

1451 (1896—237)

"An Act respecting cities of the first class, and relating to the granting of licenses by the common council or other governing body therein," approved April 9th, 1896.

1452 (1882—235)

"Act to provide for the payment of indebtedness incurred in excess of appropriation made to any city board having control of the improvements and reconstruction of streets and sewers," approved March 31st, 1882.

1453-1457 (1883—259)

"An Act to enable cities of the first class to build main sewers in certain districts, and to acquire private lands for that purpose," approved March 23d, 1883.

1458-1464 (1893—471)

"An Act to authorize the construction of sewers and drains in cities of the first class and to provide for the payment of the cost thereof," approved March 27th, 1893.

1465-1468 (1895—392)

"An Act respecting the paving and repaving of streets, avenues and public highways in cities of the first class in this State, and providing for the payment of assessments for especial benefits to property benefited thereby and the payment of contractors supplying the work and material therefor," approved March 21st, 1895.

1465 (1901—98)

"An Amendment to an act entitled 'An act respecting the paving and repaving of streets, avenues and public highways in cities of the first class in this State, and providing for the payment of assessments for especial benefits to property benefited thereby and the payment of contractors supplying the work and material therefor,' approved March twenty-first, one thousand eight hundred and ninety-five," approved March 19th, 1901.



1465-1467 (1907-726)

"An Act to amend an act entitled 'An act respecting the paving and repaving of streets, avenues and public highways in cities of the first class in this State, and providing for the payment of assessments for especial benefits to property benefited thereby, and the payment of contractors supplying the work and material therefor,' approved March twenty-first, one thousand eight hundred and ninety-five, being chapter two hundred and ten of the laws of one thousand eight hundred and ninety-five," approved November 14th, 1907.

1492 (1903-109)

"An Act to provide for the payment, in installments, of assessments upon property specially benefited from the construction of sewers or drains in cities of the first class of this State," approved March 26th, 1903.

1493-1494 (1906-149)

"An Act respecting connections to street water mains in advance of the pavement of streets and avenues in cities of the first class of this State," approved April 9th, 1906.

1507 (1909-102)

"An Act to authorize the bridging of streets and highways in cities of the first class of this State under certain circumstances," approved April 12th, 1909.

1508 (1909-287)

"An Act relating to the repavement of streets and highways in cities of the first class, and allowing for the use of old materials in said repaving," approved April 20th, 1909.

1509-1510 (1895-768)

"An Act to enable cities of the first class of this State to issue bonds in order to provide and maintain a supply of pure and wholesome water," approved April 1st, 1895.

1511-1515 (1895-775)

"An Act to submit to popular vote the purchase of a supply of pure and wholesome water in cities of the first class in this State," approved April 1st, 1895.

1519-1521 (1893-226)

"An Act to authorize cities of the first class to provide for and pay amounts unpaid for lighting streets, public buildings and public places, arising from insufficient appropriations," approved March 11th, 1893.

1520-1521 (1897-237)

"An Act to amend an act entitled 'An act to authorize cities of the first class to provide for and pay amounts unpaid for lighting streets, public buildings and public places, arising from insufficient appropriations,' approved March eleventh, one thousand eight hundred and ninety-three," approved April 16th, 1897.

1532 (1899-44)

"An Act providing that any assessment of damages or benefits caused or conferred by any local improvement in cities of the first class, made by any board of commissioners appointed to make all such assessments, may be referred back for revision and correction to the said board or to new commissioners to be appointed," approved March 15th, 1899.

1547 (1904-55)

"An Act authorizing cities of the first class to lease or hire boats for the purpose of removal of ice from channels of rivers upon which they are situated, and waters adjacent thereto, in order that such rivers and adjacent waters may at all times be kept open for navigation," approved March 16th, 1904.

1548-1550 (1904-170)

"An Act to authorize cities in the first class in this State to provide annual excursions for the children of the same," approved March 28th, 1904.

1551-1552 (1905-210)

"A Supplement to an act entitled 'An act to authorize cities of the first class in this State to provide annual excursions for the children of the same,' approved March twenty-eighth, one thousand nine hundred and four," approved April 6th, 1905.

1551 (1908—199)

"An Act to amend an act entitled 'A further supplement to an act entitled "An act to authorize cities of the first class to provide annual excursions for children of the same," approved March twenty-eighth, one thousand nine hundred and four,' which supplement was approved April sixth, one thousand nine hundred and five," approved April 9th, 1908.

1553 (1906—176)

"A Further Supplement to an act entitled 'An act to authorize cities of the first class in this State to provide annual excursions for children of the same,' approved March twenty-eighth, one thousand nine hundred and four," approved April 12th, 1906.

1557-1559 (1890—114)

"An Act to authorize cities of the second class to divide one or more wards, and to form new wards therefrom," passed March 25th, 1890.

1560 (1905—131)

"An Act concerning the division of wards in cities of the second class in this State," approved March 30, 1905.

1561 (1906—62)

"A Supplement to an act entitled 'An act concerning the division of wards in cities of the second class in this State,' approved March thirtieth, one thousand nine hundred and five," approved March 27th, 1906.

1563 (1883—214)

"An Act to provide for the modifying of the salaries of city officers who hold their office for an indefinite term," approved March 23d, 1883.

1564 (1884—290)

"An Act relative to the expenses of the departments or bureaus of surveys in cities of the second class," approved May 5th, 1884.

1571 (1891—403)

"An Act relative to the salaries of mayors in cities of the second class in this State," approved April 14th, 1891.

1572-1573 (1892-59)

"An Act to authorize common councils, boards of aldermen and other governing bodies in cities of the second class to change the date of their charter elections, to define the beginnings of the terms of officials thereinafter elected and extend the term of certain officials so that the same will begin and end with the fiscal year in said city," approved March 8th, 1892.

1574 (1894-213)

"A Supplement to an act entitled 'An act to authorize common councils, boards of aldermen and other governing bodies in cities of the second class to change the date of their charter elections, to define the beginnings of the terms of officials thereinafter elected, and extend the term of certain officials, so that the same will begin and end with the fiscal year in said city,' approved March eighth, one thousand eight hundred and ninety-two," approved May 8th, 1894.

1595 (1883-203)

"An Act concerning street and sewer improvements in cities of the second class," approved March 23, 1883.

1596-1597 (1890-95)

"An Act to authorize and empower the common council, board of aldermen or other governing body in cities of the second class to set aside certain moneys into a fund to be called the 'special street improvement fund,' and to provide for the expenditure thereof," approved March 20th, 1890.

1598 (1899-38)

"Supplement to an act entitled 'An act to authorize and empower the common council, board of aldermen or other governing body in cities of the second class to set aside certain moneys into a fund to be called the 'special street improvement fund,' and to provide for the expenditure thereof,' approved March twentieth, one thousand eight hundred and ninety," approved March 13th, 1899.

1599-1600 (1894-438)

"An Act to enable cities of the second class in this State having a population of less than fifty thousand

inhabitants to issue bonds for street and sewer improvements and to provide for the apportionment and payment thereof," approved May 17th, 1894.

1601-1602 (1899—273)

"An Act providing for changing, altering and relocating the lines, boundaries and location of unopened streets and avenues in certain cases in cities of the second class of this State," approved March 23d, 1899.

1603 (1899—489)

"An Act to enable cities of the second class to make street improvements without first requiring the property-owners along the line of said improvements to do such work," approved March 24th, 1899.

1604-1605 (1903—216)

"An Act relating to street and sewer improvements authorizing the issuance of bonds therefor and providing for the apportionment and payment of such bonds, in any city of the second class," approved April 7th, 1903.

1606 (1883—98)

"An Act authorizing the issue of additional bonds for the extension and maintenance of water works in certain cities in this State," approved March 13th, 1883.

1607-1614 (1893—439)

"An Act to enable second-class cities in this State to improve and extend the water supply in said cities and to issue bonds for the payment thereof," approved March 21st, 1893.

1612 (1895—378)

"An Act to amend an act entitled 'An act to enable second-class cities in this State to improve and extend the water-supply in said cities and to issue bonds for the payment thereof,' approved March twenty-first, one thousand eight hundred and ninety-three," approved March 20th, 1895.

1615-1623 (1895—287)

"An Act to enable cities of the second class to purchase land and construct and operate water works for

the purpose of supplying their inhabitants with pure and wholesome water," approved March 14th, 1895.

1627-1628 (1893-487)

"An Act relative to the publication of the expenditures of the public moneys by the common council or other governing body in cities of the second class of this State," approved March 28th, 1893.

1629 (1897-124)

"An Act authorizing cities of the second class to increase their power to borrow money for all purposes for which they are authorized to raise money by taxes and to secure the payment thereof by a bond or other instrument," passed March 30th, 1897.

1630-1631 (1883-59)

"An Act to authorize cities of the second class to fund their indebtedness," approved March 2d, 1883.

1632 (1895-207)

"An Act to provide for the issue of temporary bonds or obligations in anticipation of the renewal of maturing bonds, under existing statutes, in cities of the second class of this State," approved March 7th, 1895.

1633-1634 (1883-31)

"An Act concerning cities of the third class," approved February 13th, 1883.

1649-1650 (1906-46)

"An Act relating to official bonds in cities of the third class of this State," approved March 24th, 1906.

1657-1671 (1892-444)

"An Act to provide for the laying out of streets in any city of the third class in this State," approved April 9th, 1892.

1672 (1893-398)

"An Act to provide for the paving or macadamizing of streets, roads and avenues in cities of the third class," approved March 17th, 1893.

1673-1679 (1894-348)

"An Act for the grading, curbing, flagging and pav-

ing of streets in cities of the third class," approved May 15th, 1894.

1680 (1895—390)

"An Act to regulate the manner of making street improvements in cities of the third class in this State," approved March 21st, 1895.

1681-1694 (1898—72)

"An Act to authorize cities of the third class to construct sewers, or drains, or both, and to provide for the payment of the cost thereof," approved March 15th, 1898.

1704 (1896—87)

"An Act to enable cities of the third class in this State to improve and repair water works, extend the water supply, and to issue bonds for the payment thereof," approved March 18th, 1896.

1705-1707 (1890—287)

"An Act relating to assessments in cities of the third class of this State," approved May 5th, 1890.

1708 (1905—308)

"An Act concerning the time of payment of assessments of benefits of public improvements in cities of the third class," approved April 17th, 1905.

1709 (1908—263)

"A Supplement to the act entitled 'An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,' approved April seventeenth, one thousand nine hundred and five," approved April 10th, 1908.

1729-1731 (1890—225)

"An Act to authorize the repairing or paving streets in certain cases," passed April 7th, 1890.

1732-1734 (1890—340)

"An Act to authorize the building and repairing of sidewalks in certain cases," passed May 19th, 1890.

1738-1743 (1891—463)

"An Act in reference to cities of the fourth class," approved April 16th, 1891

1744-1747 (1893-408)

"A Supplement to an act entitled 'An act in reference to cities of the fourth class,' approved April sixteenth, one thousand eight hundred and ninety-one, and to give the governing body the power to improve any of the streets or avenues therein at the expense of the city at large, and to provide for the payment of the same," approved March 17th, 1893.

1760-1766 (1899-280)

"An Act to provide for the opening, laying out, altering and widening of streets in any city of the fourth class in this State," approved March 24th, 1899.

1776 (1900-386)

"An Act authorizing cities of the fourth class in this State to raise by taxation and expend annually a sum not exceeding five thousand dollars for music in their public buildings and pavilions," approved March 23d, 1900.

1777-1779 (1902-668)

"An Act to authorize any city of the fourth class of this State to raise money, either by temporary loans or by the issue or issues of bonds for any sum not exceeding fifteen per centum of the taxable value of the real and personal property rated for assessment in such city, and to use the same for the purpose of retiring the floating or matured bonded indebtedness, for the enlargement and improvement of the public buildings, water works, sewerage system and for other lawful purposes of such city," approved April 9th, 1902.

1780-1781 (1905-85)

"An Act authorizing cities having a population of less than twelve thousand bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean, owned by and within the limits of any such city for public purposes, and to issue bonds for any such purposes," approved March 23d, 1905.

1782-1783 (1905-86)

"An Act authorizing cities bordering upon the Atlantic ocean to make additions or extensions to any sewer



system owned and operated by any city, and to rebuild the same and providing for the payment of the cost of any such improvement," approved March 23d, 1905.

1784-1787 (1909-27)

"An Act to authorize cities of this State located on or near the ocean, which may now or hereafter own any land contiguous to the beach or ocean front, to protect and improve such lands and the beach or ocean front contiguous thereto, and to issue bonds therefor," approved March 16th, 1909.

(1911, ch. 50)

"An Act for the maintenance of detention homes for juveniles in cities of the first class," approved March 21st, 1911.

(1911, ch. 102)

"An Act relative to the construction of water mains in cities of the first class, and to provide for the payment thereof by the issuance of bonds or otherwise," approved April 6th, 1911.

(1911, ch. 108)

"An Act authorizing any city of the first class in this State to appropriate money to be expended in the designing, constructing, erecting and completing of a monument to commemorate the founding of a village, town or settlement forming part of such city," approved April 6th, 1911.

(1911, ch. 117)

"An Act to amend an act entitled 'An act to authorize cities of this State through which any river, stream or creek runs, and into which the sewage of any city empties, to build and construct intercepting sewers to receive all such sewage to be disposed of in such manner as shall be deemed proper, and to provide for the alteration of a general system of sewerage and drainage in cities, and to cleanse and otherwise improve such rivers, streams or creeks, and to issue bonds to meet the expense of such work,' approved April twenty-fifth, one

thousand nine hundred and seven," approved April 6th, 1911.

(1911, ch. 144)

"An Act authorizing cities to appropriate the sum of twenty-five hundred dollars for the purchase and erection of a firemen's monument," approved April 12, 1911.

(1911, ch. 200)

"An Act concerning the corporate titles of cities," approved April 22, 1911.

(1911, ch. 211)

"An Act to authorize cities of this State to purchase lands and erect buildings thereon and equip the same for the accommodation and use of the fire department of such city, and to issue bonds and provide money to pay for the same," approved April 24, 1911.

(1911, ch. 259)

"A Supplement to an act entitled 'An act to provide for certain street and sewer improvements in cities of this State, for the raising of funds for the payment thereof, and for the assessment of the benefits arising from such improvements upon lands and real estate in the vicinity benefited by reason thereof,' approved April twelfth, one thousand nine hundred and ten," approved April 27, 1911.

(1911, ch. 260)

"A Supplement to an act entitled 'An act to provide for the planting and care of shade and ornamental trees in the public highways of any city of this State by the authorities having the management of the public parks in any such city,' approved March twenty-eighth, one thousand nine hundred and four," approved April 27, 1911.

(1911, ch. 266)

"An Act providing for the salaries of the clerks of the recorders' or police courts in the cities of the second class now having or which may hereafter have a population of seventy thousand inhabitants," approved April 27, 1911.

(1911, ch. 297)

"An Act to enable cities in this State to extend, alter, enlarge, furnish and equip city hall buildings," approved May 1st, 1911.

(1911, ch. 306)

"An Act to amend an act entitled 'An act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds' for the cost thereof, and providing for collecting rentals for the use of such sewers and sewer systems,' passed October eleventh, one thousand nine hundred and seven," approved May 1, 1911.

(1911, ch. 334)

"An Act to provide for the purchase and condemnation of land and the maintenance of public parks in cities of this State," approved May 1, 1911.

(1911, ch. 345)

"An Act to amend an Act entitled 'An Act to empower municipalities to establish and maintain plants for the treatment, disposal or rendering of sewage,' approved April fourteenth, one thousand nine hundred and nine," approved May 2, 1911.

(1911, ch. 349)

"A Supplement to an Act entitled 'An Act to enable cities to supply the inhabitants thereof with pure and wholesome water,' approved April twenty-first, one thousand eight hundred and seventy-six," approved May 2, 1911.

(1912, ch. 40)

"A Supplement to an Act entitled 'An Act to provide for the planting and care of shade trees on the highways and the charge and control of the city parks in certain cities of this State,' approved April eleventh, one thousand nine hundred and ten," approved March 8, 1912.

(1912, ch. 51)

"A Supplement to an Act entitled 'An Act to provide for certain street and sewer improvements in cities of this State, for the raising of funds for the payment thereof, and for the assessment of the benefits arising

from such improvements upon lands and real estate in the vicinities benefited by reason thereof,' approved April twelfth, one thousand nine hundred and ten," approved March 8th, 1912.

(1912, ch. 68)

"An Act to amend an Act entitled 'An Act to enable cities of the second class of this State to improve public parks,' approved March twenty-eighth, one thousand nine hundred and four," approved March 13th, 1912.

(1912, ch. 90)

"An act providing for the construction, maintenance, operation and use of sewers, sewer systems and sewage disposal plants in cities of this State and providing for the payment of the cost thereof," approved March 19, 1912.

(1912, ch. 91)

"An Act authorizing cities in this State to construct and maintain purification and filtration plants, and to acquire lands therefor, by purchase or condemnation, and the raising of funds for such purposes by the issuance of bonds," approved March 20, 1912.

(1912, ch. 129)

"An Amendment to an Act entitled 'An Act to regulate fees for seaches of the records of municipal liens against real property in cities of the first class,' approved April thirtieth, one thousand nine hundred and six," approved March 21st, 1912.

(1912, ch. 184)

"An Act fixing the salaries of the mayors in cities of the first class of this State," approved March 27, 1912.

(1912, ch. 186)

"An Act providing for the repavement of paved streets in cities of the second class of this State, and for the issuance of bonds in payment therefor," approved March 27, 1912.

(1912, ch. 195)

"An Act authorizing cities of this State except cities of the first class to issue temporary improvement cer-

tificates and to levy general taxes to pay the cost and expenses of laying or relaying water pipe, and to apply the moneys received from assessments of benefits resulting from the laying or relaying of said water pipe and the moneys so raised by general taxes, to the payment of the cost and expenses of such improvement or to the payment of such temporary improvement certificates, approved March 27, 1912.

(1912, ch. 246)

"An Act providing for the collection of unpaid and future charges for the installation, sale, repair and testing of water meters, water services, connections, appliances and parts and renewals thereof, and authorizing the discontinuance of the supply of water for non-payment of any such charges made by cities wherein water works are owned and controlled by the city authorities," approved March 28, 1912.

(1912, ch. 268)

"An Act to amend 'An Act to authorize cities to acquire certain old burying grounds or cemeteries for park purposes and to provide a method therefor,' approved April eleventh, one thousand nine hundred and ten," approved March 28, 1912.

(1912, ch. 279)

"An Act to amend an Act entitled 'An Act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and providing for collecting rentals for the use of such sewers and sewer systems, passed October eleventh, one thousand nine hundred and seven, so that the title of said act shall read as follows: "An Act providing for the construction of sewers and sewer systems in cities of this State and the issuance of bonds for the cost thereof, and to provide by tax, or rentals, for the payment of the principal of and interest on said bonds,"' approved April 1, 1912.

(1912, ch. 291)

"An Act to authorize the cities of this State to acquire by purchase or condemnation lands and buildings

for the purpose of converting the sites thereof into public squares or places, and to issue and sell bonds to provide for the cost of such acquisition and conversion, and to provide by tax for the payment of the principal of and interest on said bonds," approved April 1st, 1912.

(1912, ch. 343)

"An Act to authorize cities of the first class in this State to erect and acquire new or additional market buildings and market facilities, and to acquire lands therefor by purchase or condemnation," approved April 1st, 1912.

(1912, ch. 408)

"An Act to amend an Act entitled 'An Act to authorize the construction and establishment of public docks and the shipping facilities connected therewith, and the purchasing and acquiring of riparian lands and rights and other lands and rights in lands necessary therefor or incident thereto, and for the regulation of the same in cities fronting on navigable waters of this State,' approved October twenty-first, nineteen hundred and seven," passed April 16, 1912.

(1913, ch. 35)

"An Act concerning the publication of public notices respecting certain public improvements heretofore or hereafter published in cities of this State," approved February 27, 1913.

(1913, ch. 70)

"An Act to amend an Act entitled 'An Act to authorize the construction and establishment of public docks and the shipping facilities connected therewith, and the purchasing and acquiring of riparian lands and rights and other lands and rights in lands necessary therefor, or incident thereto, and for the regulation of the same in cities fronting on navigable waters of this State,' approved October twenty-first, nineteen hundred and seven," approved March 12, 1913.

(1913, ch. 78)

"An Act concerning assessments for benefits con-

ferred by the construction of sewers or drains in cities of this State," approved March 12, 1913.

(1913, ch. 79)

"An Act to provide for the holding of municipal exhibits in cities of this State, and to provide funds to defray the expenses of the same," approved March 12, 1913.

(1913, ch. 113)

"An Act providing for the payment of the costs and expenses incurred in the repairing and repaving paved streets in any city," approved March 24, 1913.

(1913, ch. 129)

"An Act enabling and empowering any city now obtaining its water supply from other sources than artesian wells to dig and construct artesian wells to supply such city with water, and to purchase and erect or set up meters, machinery and other fixtures, and to construct connecting water-pipe lines and mains, and to purchase and condemn lands, waters and rights and otherwise to improve, enlarge and extend the water supply and waterworks plant of such city, and to issue bonds for the cost thereof," approved March 25, 1913.

(1913, ch. 153)

"An Act to permit the use of paving, sewer, refuse, filling or other material owned by cities of the first class of this State in the grading, curbing, flagging, sewer-ing, paving, repaving and otherwise improving of streets and highways in such cities, and to include the reasonable value thereof in the cost and expenses to be assessed against lands and real estate for any of said improvements in the manner now or hereafter provided by law," approved March 27, 1913.

(1913, ch. 154)

"An Act to authorize cities of the first class in this State to provide music in the public parks and public amusement places," approved March 27, 1913.

(1913, ch. 167)

"A Supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities

of this State, and to provide for the payment of the expense of the same, and for the assessment of the benefits of such improvement upon the land and real estate benefited thereby,' approved June thirteenth, one thousand eight hundred and ninety-eight, which title was amended to read as above set forth by an act approved April sixteenth, one thousand nine hundred and nine," approved March 31, 1913.

(1913, ch. 193)

"An Act to enable cities of the second class of this State to defray the cost of laying out, opening, widening and altering public thoroughfares, and making assessments for benefits for such improvements a first lien upon lands," approved April 1st, 1913.

(1913, ch. 206)

"An Act to amend an Act entitled 'An Act to authorize cities having a public water supply derived from sources beyond the city limits to protect the same from pollution by providing for any portion of the territory from which such water is derived, or through which it flows, a system of sewers or drains in order to take up, carry off and dispose of the sewage and other polluting matter, and providing also for the raising and expenditure of the money necessary for this purpose,' approved April fourth, one thousand nine hundred and seven," approved April 1st, 1913.

(1913, ch. 208)

"An Act to authorize the city counsel or other governing body of any city in this State to purchase lands or to use and devote lands already acquired for the purpose of erecting, constructing and maintaining one or more public comfort stations, and to issue bonds for the purpose of securing money to pay for the lands purchased and for the construction of said comfort stations," approved April 1st, 1913.

(1913, ch. 267)

"An Act providing for the repavement of paved streets in cities of this State, and for the issuance of bonds in payment therefor," approved April 7, 1913.



(1913, ch. 270)

"An Act respecting the widening and improving of the streets and thoroughfares of cities in this State, and providing for the payment of the expenses of the same," approved April 7th, 1913.

(1913, ch. 313)

"An Act authorizing cities of the first class to purchase lands and erect buildings thereon for the accommodation and use of the police departments of such cities, and to issue bonds and provide money to pay for the same," approved April 9, 1913.

(1913, ch. 320)

"An Act to authorize cities to construct storm sewers, underground drains or culverts for the purpose of carrying off surface water and to provide for the payment of the cost thereof," approved April 9th, 1913.

(1913, Spec. Ses., ch. 14)

"An Act to amend an Act entitled 'An Act concerning cities,' approved March 15th, 1893," approved May 27, 1913.

(1913, Spec. Ses., ch. 18)

"An Act to amend an Act entitled 'An Act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this State,' approved April seventeenth, one thousand nine hundred and five," approved May 29, 1913.

(1913, Spec. Ses., ch. 19)

"An Act to amend an Act entitled 'An Act concerning assessments for benefits conferred by the construction of sewers and drains in cities of this State,' approved March twenty-seventh, one thousand nine hundred and six," approved May 29, 1913.

(1914, ch. 6)

"An Act to amend an Act entitled 'An Act to enable any city in this State to buy land and build a new almshouse and furnish same, and also to sell lands and buildings now used for such purpose,' approved April ninth, one thousand nine hundred and ten," approved March 6th, 1914.

(1914, ch. 7)

"An Act authorizing the cities of this State to appropriate moneys for the celebration of the Fourth of July, Washington's Birthday, Decoration Day and Columbus Day," approved March 6th, 1914.

(1914, ch. 8)

"An Act providing for the celebration of the two hundred and fiftieth anniversary of the founding of cities in this State, and for payment of the cost thereof," approved March 9, 1914.

(1914, ch. 41)

"An Act to amend an Act entitled 'An Act to authorize cities to enlarge or construct water mains and to provide for the payment thereof,' approved March twenty-eighth, nineteen hundred and four," approved March 18, 1914.

(1914, ch. 89)

"An Act regulating the payment of officers, officials and employees of cities in this State," approved March 31, 1914.

(1914, ch. 103)

"An Act to authorize cities to license and regulate, by ordinance, the erection of signs projecting beyond the building line of streets and highways, and to provide a penalty for the violation of such ordinance," approved April 6th, 1914.

(1914, ch. 110)

"An Act to authorize any city of the third class in this State having a system of sewers to lay additional mains, lateral connections, or extend existing mains from time to time, and to provide for the payment of the expense of the same, and for the assessment of the benefits of such construction upon the lot or lots of land and real estate benefited thereby," approved April 7, 1914.

(1914, ch. 114)

"An Act to regulate and compel the construction and maintenance of a fence or fences for public protection along raceways, millways, feeders, or other similar

water courses in cities, and to provide a penalty for the violation thereof," approved April 7, 1914.

(1914, ch. 117)

"An Act to amend an Act entitled 'An Act to authorize cities of this State to borrow money for all purposes for which they are now authorized to raise money by taxation, and to secure the payment thereof by the issuing of bonds,' approved April twenty-second, one thousand nine hundred and two," approved April 7, 1914.

(1914, ch. 134)

"An Act to authorize the grading, paving, repaving, curbing, recurbing and otherwise improving of roads, streets and highways in cities of the fourth class and to provide a method of assessing the benefits and of issuing improvement certificates and bonds to meet the expenses of such improvement," approved April 8, 1914.

(1914, ch. 174)

"An Act concerning the salary or compensation of the mayor of any city of the third class," approved April 14, 1914.

(1914, ch. 175)

"An Act to authorize cities in this State to purchase steam fire engines, auto fire engines, fire trucks, auto fire trucks, hose and supply wagons, auto hose and supply wagons, chemical fire engines or wagons, auto chemical fire engines or wagons, fire apparatus and appliances of any kind, and automobiles for use in said department, and for the repair of any of the same; and to provide a method for raising money for the payment thereof," approved April 14, 1914.

(1914, ch. 176)

"An Act authorizing cities to sell fire engine houses and the sites thereof, and to acquire lands and erect and equip buildings for the use of the fire department of the city, and to provide for the payment of the cost thereof," approved April 14, 1914.

(1914, ch. 178)

"An Act concerning cities," approved April 14, 1914.

(1914, ch. 192)

"An Act to authorize cities in this State to acquire lands by agreement with the owner or owners or by condemnation or otherwise, and to erect public slaughter houses thereon, and to provide for their care, maintenance and use and methods and means for the payment of the cost thereof," approved April 15, 1914.

(1914, ch. 193)

"An Act to authorize cities of this State to acquire unimproved lowland, within or without the corporate limits of such cities, either by purchase or condemnation, for a public dump, and to issue bonds to provide funds therefor," approved April 15, 1914.

(1914, ch. 203)

"An Act to amend an Act entitled 'An Act to authorize cities owning a public water-supply derived from sources beyond the limits of such city to issue bonds to acquire additional lands and real estate, water and water rights located within or adjacent to the territory of the watershed from which such source of public water-supply is derived, and to acquire the water rights necessary for the use of the water therefrom,' approved April sixteenth, one thousand nine hundred and eight," approved April 15, 1914.

(1914, ch. 229)

"An Act to amend an Act entitled 'An Act to authorize cities to issue bonds for the purpose of placing police, telegraph and telephone wires, and fire telegraph and telephone wires owned by cities, in conduits located in the streets, alleys and highways of cities,' approved April third, one thousand nine hundred and two," approved April 17, 1914.

(1914, ch. 257)

"An Act to authorize cities of the second class to acquire lands, within or without the corporate limits of

such cities, by purchase or condemnation, and to erect suitable buildings thereon for housing the poor, and to sell lands and buildings now used for that purpose, and to issue bonds," approved April 17th, 1914.

(1914, ch. 258)

"An Act to authorize cities of the fourth class to raise money by taxation for the purpose of advertising such cities as seaside resorts," approved April 17th, 1914.

(1915, ch. 45)

"An Act to amend the title and body of an Act entitled 'An Act to authorize the city council or other governing body of any city in this State to purchase lands or to use and devote lands already acquired for the purpose of erecting, constructing and maintaining one or more public comfort stations, and to issue bonds for the purpose of securing money to pay for the lands purchased and for the construction of said comfort stations,' approved April first, one thousand nine hundred and thirteen," approved March 10, 1915.

(1915, ch. 46)

"An Act to authorize cities in this State to erect and acquire new or additional market buildings and market facilities, and to acquire lands therefor by purchase or condemnation, and to issue bonds," approved March 10, 1915.

(1915, ch. 65)

"An Act authorizing cities to reimprove streets or highways, and to provide for the payment of the cost and expense thereof," approved March 17, 1915.

(1915, ch. 82)

"An Act to authorize cities in this State now or hereafter owning an asphalt repair plant to use said plant on the paving, repaving or resurfacing of streets in such city and providing for the method for the payment for and the assessment of the cost of such work," approved March 24, 1915.

(1915, ch. 148)

"An Act to amend an Act entitled 'An Act to authorize the improvement of streets and highways in cities

of this State, and to provide for the payment of the expense of the same, and for the assessment of the benefits of such improvement upon the land and real estate benefited thereby,' approved June thirteenth, one thousand eight hundred and ninety-eight, approved April 1st, 1915.

(1915, ch. 232)

"An Act relating to the purchase of lands and the erection and equipment thereon of public baths and bath houses in cities of the first class in this State, and providing for the issuance of bonds to pay for the cost of such purchase, erection and equipment," approved April 8th, 1915.

(1915, ch. 279)

"An Act to amend the title and body of an Act entitled 'An Act to authorize the cities of this State to acquire lands for public parks by purchase or condemnation, and to improve the same, and to issue and sell bonds to provide for the cost of such acquisition and improvement, and to provide by tax for the payment of the principal of and interest on said bonds,' approved April fifth, one thousand nine hundred and ten," approved April 13, 1915.

(1915, ch. 281)

"An Act to amend an Act entitled 'A supplement to an act entitled "An Act to authorize cities to construct and repair sidewalks and curbs, and to provide for the payment of the cost thereof," approved April thirteenth, one thousand nine hundred and eight,' which supplement was approved April sixteenth, one thousand nine hundred and nine," approved April 13, 1915.

(1915, ch. 347)

"An Act to amend an Act entitled 'An Act to enable cities to sell, exchange, lease and convey public lands which are not used, needed, or desirable for public purposes,' passed March twenty-eighth, one thousand nine hundred and four," approved April 19, 1915.

(1915, ch. 358)

"An Act to amend an act entitled 'An Act to author-

ize cities in this State to purchase steam fire engines, auto fire engines, fire trucks, auto fire trucks, hose and supply wagons, auto hose and supply wagons, chemical fire engines or wagons, auto chemical fire engines or wagons, fire apparatus and appliances of any kind, and automobiles for use in said department, and for the repair of any of the same; and to provide a method for raising money for the payment thereof,' approved April fourteenth, one thousand nine hundred and fourteen," approved April 20th, 1915.

(1915, ch. 367)

"An Act to authorize any city of this State to acquire lands by purchase or condemnation, and erect on such lands or on other lands owned by such city a public building or buildings for use as a museum of arts and sciences, or suitable for public exhibitions, lectures, addresses or assemblages, or for any or all of such purposes and uses, and to furnish the same, and to issue bonds to provide for the expense of such acquisition, erection and furnishing, and to provide by tax for the payment of the principal and interest of said bonds," approved April 21st, 1915.

(1916, ch. 7)

"An Act to authorize the construction and maintenance of free public library buildings on public parks or squares in cities of the second class and the operation of free public libraries therein," approved February 18th, 1916.

(1916, ch. 23)

"A Supplement to an act entitled 'An Act to authorize any city of this State to acquire lands by purchase or condemnation, and erect on such lands or on other lands owned by such city a public building or buildings for use as a museum of arts and sciences, or suitable for public exhibitions, lectures, addresses or assemblages, or for any or all of such purposes and uses, and to furnish the same, and to issue bonds to provide for the expense of such acquisition, erection and furnishing, and to provide by tax for the payment of the principal and interest of said bonds,' approved April twenty-first, one

thousand nine hundred and fifteen," approved March 7, 1916.

(1916, ch. 43)

"An Act to authorize any city of the third class in this State having a system of sewers to lay additional mains, lateral connections, or extend existing mains from time to time, and to provide for the payment of the expense of the same, and for the assessment of the benefits of such construction upon the lot or lots of land and real estate benefited thereby," approved March 15, 1916.

(1916, ch. 116)

"An Act to authorize cities of the fourth class of this State to borrow money and to issue bonds for the cost and expense of discharging any lands or real estate owned by such city, affected by rights, interests or easements," approved March 16, 1916.

(1916, ch. 139)

"An Act to authorize the acquisition by purchase and condemnation of lands for park purposes by cities of the fourth class of this State, and for the improvement and regulation thereof and for the issuing of bonds and temporary obligations for such purpose, and to provide for the payment thereof," approved March 17, 1916.

(1916, ch. 169)

"A Supplement to an Act entitled 'An Act to enable cities to build main sewers in certain districts, and to acquire private lands for that purpose,' approved March twenty-fourth, one thousand eight hundred and eighty-five," approved March 17, 1916.

(1916, ch. 172)

"An Act to provide for an official roster of, and method of exemplifying, the official signatures of chief executive officers and clerks of the various municipalities in this State," approved March 17, 1916.

(1916, ch. 232)

"An Act respecting the construction of sewers in cities of this State," approved March 21st, 1916.



(1916, ch. 261)

"An Act to amend an Act entitled 'An Act to authorize the purchase of lands and the erection and furnishing of city halls in cities,' approved March nineteenth, anno Domini nineteen hundred," approved March 24, 1916.

(1916, ch. 279)

"An Act to authorize any city in this State to appropriate, raise by taxation and expend certain moneys for advertising, exhibition and civic display purposes," passed March 29, 1916.

"Cemeteries" 67-80 (1910-387)

"An Act to authorize cities to acquire certain old burying-grounds or cemeteries for park purposes and to provide a method therefor," approved April 11, 1910.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Pending actions not affected.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds not transferred.

Fund devoted to purpose appropriated.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or

Contracts and leases valid.

agreement was entered into before this Act shall take effect.

Bond issues  
not invali-  
dated.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Assessments  
and tax liens  
valid.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Sinking fund.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not  
revived.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceeding may continue as prescribed in the Act under which the same was undertaken and commenced.

Proceedings  
continue as  
prescribed.

Acts repealed  
deemed ab-  
rogated.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, one thousand nine hundred and eighteen.

Approved March 29, 1917.

## CHAPTER 205.

An Act to repeal sundry acts relative to fire and police,  
and kindred subjects.

BE IT ENACTED *by the Senate and General Assembly  
of the State of New Jersey:*

1. From and after the time when this act shall take  
effect, the following acts and parts of acts be repealed: Sundry acts  
repealed.  
(Comp. Stats. "Fire and Police" Sections.)

1-5 (1835-57) (Rev. 1877, p. 424)

"An Act to prevent the vending, burning or exploding  
of firecrackers, squibs, turpentine balls or fire ser-  
pents," passed February 18, 1835. (Revision of 1877,  
p. 424)

13 (1881-254)

"An Act respecting fire-escapes or means of exit in  
and upon buildings in cities or municipal corporations,"  
approved March 25th, 1881.

14 (1886-53)

"An Act to authorize cities of this State to compel  
owners of tenement-houses to construct fire-escapes  
thereon," approved March 1, 1886.

15-17 (1900-101)

"An Act relative to fire-escapes," approved March  
24th, 1890.

18-21 (1892-296)

"An Act relative to fire-escapes in cities," approved  
March 28th, 1892.

28-29 (1889-373)

"An Act to authorize cities of this State to establish  
and maintain a fire limit therein, and to provide for the  
proper enforcement thereof," approved May 7th, 1889.

30-32 (1900-308)

"An Act to authorize and empower municipalities gov-  
erned by a board of commissioners or by an improve-

ment commission, by ordinance to prohibit the erection of buildings of wood or other combustible materials, and to regulate and control the erection and construction of fire-escapes," approved March 23d, 1900.

30 (1901—229)

"An Act to amend an Act entitled 'An Act to authorize and empower municipalities governed by a board of commissioners or by an improvement commission, by ordinance, to prohibit the erection of buildings of wood or other combustible materials, and to regulate and control the erection and construction of fire-escapes,' approved March twenty-third, one thousand nine hundred," approved March 21st, 1901.

30 (1903—348)

"An Act to amend an Act entitled 'An act to authorize and empower municipalities governed by a board of commissioners or by an improvement commission, by ordinance, to prohibit the erection of buildings of wood or other combustible materials, and to regulate and control the erection and construction of fire escapes,' approved March twenty-third, one thousand nine hundred," approved April 8th, 1903.

33-34 (1902—675)

"An Act to authorize incorporated towns and boroughs of this State to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof," approved April 2, 1902.

35-37 (1905—370)

"An Act to authorize townships and villages of this State to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof," approved April 28, 1905.

100-103 (1893—423)

"An Act to authorize the acquisition of real estate, and the erection of buildings thereon for the use of police and fire departments in cities of this State," approved March 17th, 1893.

104-105 (1908—191)

"An Act to authorize cities of this State to borrow money for improving their police department facilities, and their fire and police alarm system, and to secure the payment thereof by issuing bonds," approved April 8th, 1908.

104 (1909—296)

"An Act to amend an Act entitled 'An Act to authorize cities of this State to borrow money for improving their police department facilities and their fire and police alarm systems, and to secure the payment thereof by issuing bonds,' approved April eighth, one thousand nine hundred and eight," approved April 20th, 1909.

122-129 (1905—227)

"An Act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit," approved April 7th, 1905.

173 (1880—112)

"An Act authorizing the incorporated cities and towns of the State to pay their firemen and policemen, disabled while in the discharge of their public duties, a reasonable compensation during the time they are so disabled," approved March 4th, 1880.

211-214 (1877—222) (Rev. of 1877, p. 1370)

"An Act to authorize the purchase of steam fire engines in incorporated towns, and providing means for the payment of the same," approved March 9th, 1877. (Revision of 1877, p. 1370.)

211 (1885—308)

"A Supplement to an Act entitled 'An act to authorize the purchase of steam fire engines in incorporated towns, boroughs and commissions and providing means for the payment of the same,' approved March ninth, eighteen hundred and seventy-seven," approved May 2, 1885.

215 (1879—187)

"A Supplement to an 'Act to authorize the purchase of steam fire engines, &c., in incorporated towns, and

providing means for the payment of the same,' approved March ninth, one thousand eight hundred and seventy-seven," approved March 14th, 1879.

216 (1890—421)

"A Further Supplement to an act entitled 'An Act to authorize the purchase of steam fire engines in incorporated towns, and providing means for the payment of the same,' approved March ninth, one thousand eight hundred and seventy-seven," approved June 9th, 1890.

223—224 (1888—213)

"An Act concerning cities, towns and boroughs," approved March 23d, 1888.

225 (1899—505)

"A Supplement to an Act entitled 'An Act concerning cities, towns and boroughs,' approved March twenty-third, one thousand eight hundred and eighty-eight," approved March 24th, 1899.

229—232 (1895—447)

"An Act to authorize the governing bodies of incorporated towns, boroughs, commissions or towns corporate in this State to purchase steam fire engines or other appliances or apparatus for the extinguishment of fires and erect houses for the housing of the same, and to provide means for the payment thereof," approved March 22, 1895.

233 (1898—71)

"An Act to enable municipalities to apply surplus money from the proceeds of water bonds to the purchase of apparatus for suppressing fires," approved March 14th, 1898.

234—237 (1900—497)

"An Act to authorize towns, villages and incorporated districts governed by a board of commissioners to purchase lands and erect thereon buildings for housing and protecting apparatus for the suppression of fires and for other municipal uses, and to provide for the payment thereof," approved March 23, 1900.

238-239 (1903—221)

"An Act to authorize the board of aldermen, common council or other governing body of any city, town or borough in this State to provide for the payment of the rental for the use of fire hydrants by placing the amount of such rental in the general tax levy," approved April 7th, 1903.

246-249 (1906—62)

"An Act for the summary review of proceedings on suspension, dismissal, retirement or reduction in rank of members of the fire department in this State," approved March 27th, 1906.

250 (1908—410)

"An Act to confer upon the fire department in all municipalities of this State the right of way for fire apparatus of all kinds when on duty," approved April 13th, 1908.

253-254 (1881—58)

"An act to authorize the erection of engine-houses in cities of this State," approved March 2, 1881.

255 (1882—157)

"A Supplement to the Act entitled 'An Act to authorize the erection of engine houses in cities of this State,' approved March second, one thousand eight hundred and eighty-one," approved March 22, 1882.

256-258 (1885—130)

"An Act respecting the fire department of cities and regulating the tenure and terms of office of officers and men employed in said fire departments," approved March 24th, 1885.

262-264 (1887—136)

"An Act to authorize cities in this State to erect buildings to be used for fire department purposes and to provide for the payment and cost of erection," approved April 5th, 1887.

262, 263, 264 (1888—105)

"A Supplement to an act entitled 'An act to authorize cities in this State to erect buildings to be used for fire

department purposes, and to provide for the payment and cost of erection,' approved April fifth, one thousand eight hundred and eighty-seven," approved February 28th, 1888.

265-267 (1888—26)

"An Act authorizing cities to purchase land and to erect buildings thereon for fire department purposes, within the limits of townships heretofore annexed to cities, and to provide for the payment thereof," approved February 13th, 1888.

268-270 (1889—26)

"An Act authorizing cities to purchase land and to erect buildings thereon for fire department purposes, and to provide for the payment thereof," approved February 25th, 1889.

271-272 (1889—372)

"An Act to authorize cities to sell fire engine-houses and lands and to purchase other lands for fire-house purposes," approved May 7th, 1889.

284-286 (1903—61)

"An Act to authorize cities to purchase steam fire engines and apparatus and appliances and to repair the same, and to repair or reconstruct buildings used for fire department purposes and to provide a method for raising money for the payment thereof," approved March 13th, 1903.

287 (1905—316)

"An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes," approved April 17th, 1905.

288 (1907—542)

"A Supplement to an act entitled 'An Act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,' approved April seventeenth, one thousand nine hundred and five," approved May 27th, 1907.

289-291 (1907—15)

"An Act to enable cities to erect a fire-house upon



city lands, equip the same and issue bonds in payment therefor," approved February 27th, 1907.

292-294 (1908—411)

"An Act to authorize cities to purchase steam fire engines and apparatus and appliances and to repair the same, and to repair or reconstruct buildings used for fire department purposes and to provide a method for raising money for the payment thereof," approved April 13th, 1908.

299-303 (1893—89)

"An Act to provide an efficient fire alarm in cities of the first class," approved March 1st, 1893.

304-305 (1893—165)

"An Act authorizing cities of the first class to purchase land and erect buildings thereon for fire department purposes," approved March 9th, 1893.

306-309 (1893—467)

"An Act relative to the fire department of cities of the first class in this State," approved March 27th, 1893.

313 (1895—143)

"An Act concerning fire departments in cities of the first class," approved February 27th, 1895.

316-317 (1895—735)

"An Act authorizing cities of the first class to purchase land and erect buildings thereon for fire department purposes," approved March 28th, 1895.

323-325 (1897—240)

"An Act providing for the organization of chemical companies in fire departments of the cities of the first class in this State," approved April 16th, 1897.

326 (1898—105)

"An Act concerning fire departments in cities of the first class," passed March 15th, 1898.

336 (1903—204)

"An Act authorizing cities of the first class to purchase land and erect buildings thereon for fire department purposes, and to issue bonds to raise money to pay for the same," approved April 7th, 1903.

351-356 (1891-298)

"An Act to enable cities of the second class of this State to disband volunteer fire organizations and to substitute therefor a paid department," approved April 2d, 1891.

359-360 (1892-189)

"An Act to enable citizens of the second class in this State to sell fire-engine houses and lands, and to purchase other lands for fire-houses to be erected thereon," approved March 23d, 1892.

361 (1892-199)

"An Act relative to the extension of fire houses to the building line of cities of the second class in this State maintaining a paid fire department," approved March 23d, 1892.

365-367 (1895-580)

"An Act to authorize the purchase of land and the erection of fire engine houses thereon in cities of the second class in this State," approved March 22, 1895.

376 (1877-65)

"An Act to facilitate the establishment of fire departments in cities," approved March 8th, 1877. (Revision of 1877, p. 1369.)

377 (1879-222)

"An Act to support fire organizations in the several incorporated town in this State," approved March 14, 1879.

378-379 (1900-34)

"An Act to authorize the erection of engine houses and buildings for the protection of fire apparatus and for other municipal purposes in towns of this State, and the purchase of lands whereon to erect said buildings," approved March 6th, 1900.

378-379 (1903-25)

"An Act to amend an Act entitled 'An Act to authorize the erection of engine houses and buildings for the protection of fire apparatus and for other municipal purposes in towns of this State, and the purchase of

lands whereon to erect said buildings,' approved March sixth, one thousand nine hundred," approved March 3, 1903.

516 (1889—262)

"An Act concerning police in towns, boroughs and townships," approved April 11th, 1889.

517 (1897—128)

"A Further Supplement to an Act entitled 'An Act respecting police departments of cities and regulating the tenure and terms of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," passed March 31st, 1897.

527-528 (1907—442)

"An Act concerning police in municipalities," approved May 14th, 1907.

529-530 (1909—312)

"An Act providing for the sale of unclaimed goods and chattels and for the disposition of unclaimed money by police departments of this State," approved April 20th, 1909.

535 (1878—315)

"An Act affecting the government of cities in this State as to certain of their internal affairs," approved April 5th, 1878.

537-541 (1885—163)

"An Act respecting police departments of cities, and regulating the tenure and terms of office of officers and men employed in said departments," approved March 25th, 1885.

537 (1886—48)

"An Act to amend section one of the Act entitled 'An Act respecting police departments of cities, and regulating the tenure and terms of office of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," passed February 23d, 1886.

540 (1886—211)

"An Act to amend an Act entitled 'An Act respecting police departments of cities and regulating the tenure and terms of office of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," passed April 6th, 1886.

540 (1902—665)

"An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act respecting police departments of cities and regulating the tenure and terms of office of officers and men employed in said departments," approved March twenty-fifth, one thousand eight hundred and eighty-five,' passed April sixth, one thousand eight hundred and eighty-six," approved April 9th, 1902.

542 (1890—32)

"A Further Supplement to an Act entitled 'An Act respecting police department of cities and regulating the tenure and terms of office of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," passed March 4th, 1890.

543 (1898—65)

"A Further Supplement to an Act entitled 'An Act respecting police departments of cities and regulating the time and term of office of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," approved March 9th, 1898.

545-546 (1886—136)

"An Act regulating the pay of officers and policemen in certain cities of this State," approved March 26th, 1886.

547 (1886—227)

"A Supplement to an Act entitled 'An Act regulating the pay of officers and policemen in certain cities of this State,' approved March twenty-sixth, one thousand eight hundred and eighty-six," passed April 15th, 1886.

548 (1886—211)

"An Act to enable cities of this State to increase the police force in said cities," passed April 6th, 1886.

549-550, 551-552, 553 (1889—215)

"An Act to authorize the acquisition of real estate, and the erection of buildings thereon, for the use of police departments in the cities of this State," approved April 8th, 1889.

550a (1890—343)

"A Further Supplement to an Act entitled 'An Act to authorize the acquisition of real estate and the erection of buildings thereon for the use of police departments in the cities of this State,' approved April eighth, one thousand eight hundred and eighty-nine," passed May 23d, 1890.

550b (1891—101)

"A Further Supplement to an Act entitled 'An Act to authorize the acquisition of real estate and the erection of buildings thereon for the use of police departments in the cities of this State,' approved April eighth, one thousand eight hundred and eighty-nine," approved March 9th, 1891.

550c, 552a (1892—75)

"A Further Supplement to an Act entitled 'An Act to authorize the acquisition of real estate and the erection of buildings thereon for the use of police departments in cities of this State,' approved April eighth, one thousand eight hundred and eighty-nine," approved March 9th, 1892.

550d also see 552a (1901—100)

"A Further Supplement to an Act entitled 'An Act to authorize the acquisition of real estate and the erection of buildings thereon for the use of the police departments in the cities of this State,' approved April eighth, one thousand eight hundred and eighty-nine," approved March 19th, 1901.

552a (1904—334)

"An Act to amend 'A further supplement to an Act entitled 'An Act to authorize the acquisition of real

estate and the erection of buildings thereon, for the use of police departments in cities of this State," approved April eighth, one thousand eight hundred and eighty-nine, which supplement was approved March ninth, one thousand eight hundred and ninety-two," approved March 29th, 1904.

558 (1891—22)

"An Act to enable cities in this State to increase the number of the police force," passed February 16th, 1891.

558 (1901—366)

"An Act to amend an Act entitled 'An Act to enable cities in this State to increase the number of the police force,' passed February sixteenth, one thousand eight hundred and ninety-two," approved March 22d, 1901.

560 (1895—258)

"An Act to authorize policemen to serve writs and other process in certain cases," approved March 11th, 1895.

561-564 (1899—26)

"An Act relating to police departments in cities and regulating the tenure and terms of office of persons employed in such departments," approved March 8th, 1899.

563 (1902—183)

"An Act to amend an Act entitled 'An Act relating to police departments in cities and regulating the tenure and terms of office of persons employed in such departments,' approved March eighth, anno Domini one thousand eight hundred and ninety-nine," approved March 27th, 1902.

571-575 (1909—415)

"An Act relating to the appointment of special police officers in cities of this State," approved April 21st, 1909.

588 (1883—16)

"An Act to authorize cities of the second class to make additional appropriations for police purposes," approved January 30, 1883.

593-594 (1892-14)

"An Act respecting police departments in cities of the second class, and regulating the tenure and terms of office of certain officers employed in said departments," approved January 26th, 1892.

616 (1889-371)

"An Act in relation to the pay of certain officers of the police force in certain cities in this State," approved May 7th, 1889.

636-637 (1888-133)

"An Act to enable boards of commissioners and improvement commissions in towns and villages, or within townships in this State, to employ police and to fix the compensation of the same," approved March 6th, 1888.

636 (1891-28)

"A Supplement to an Act entitled 'An Act to enable boards of commissioners and improvement commissions in towns and villages or within townships in this State to employ police and fix the compensation of the same,' approved March sixth, one thousand eight hundred and eighty-eight," approved February 18th, 1891.

638-642 (1907-294)

"An Act to remove police departments in the townships of this State from political control and to regulate the tenure and terms of office of the officers and men employed in such departments," approved May 7th, 1907.

645 (1892-397)

"A Supplement to an Act entitled 'An Act respecting police departments of cities, and regulating the tenure and terms of office of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," approved April 7th, 1892.

648-651 (1910-189)

"An Act regulating the tenure and terms of office of officers and men employed in police department of any village," approved April 7th, 1910.

652 (1895—121)

"A further supplement to an Act entitled 'An Act respecting police departments of cities and regulating the tenure and terms of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," approved February 26th, 1895.

653-656 (1907—50)

"An Act respecting police departments of towns, and regulating the tenure and terms of office of officers and men employed in said departments," passed April 2d, 1907.

654-655 (1910—16)

"An Act to amend an Act entitled 'An Act respecting police departments of towns, and regulating the tenure and terms of office of officers and men employed in said departments,' passed April second, one thousand nine hundred and seven," approved March 9th, 1910.

(1911, ch. 78)

"A Supplement to an Act entitled 'An Act concerning police in municipalities,' approved May fourteenth, one thousand nine hundred and seven," approved March 30, 1912.

(1912, ch. 71)

"An Act to amend an act entitled 'An Act providing for the sale of unclaimed goods and chattels and for the disposition of unclaimed money by police departments of this State,' approved April twentieth, one thousand nine hundred and nine," approved March 13, 1912.

(1912, ch. 86)

"An Act to amend the title and body of an Act entitled 'An Act concerning police in municipalities,' approved May fourteenth, one thousand nine hundred and seven, so as to make the title and body of the act conform," approved March 19, 1912.

(1915, ch. 21)

"An Act authorizing the appointment of women as police and police officers," approved March 2, 1915.



(1915, ch. 373)

"An Act respecting municipal police departments lawfully established in this State and regulating the tenure and terms of office of officers and men employed in said departments," approved April 21, 1915.

Pending actions not affected.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Funds not transferred.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds devoted to purpose appropriated.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Contracts and leases valid.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Bond issues not invalidated.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Assessments and tax liens valid.

652 (1895—121)

"A further supplement to an Act entitled 'An Act respecting police departments of cities and regulating the tenure and terms of officers and men employed in said departments,' approved March twenty-fifth, one thousand eight hundred and eighty-five," approved February 26th, 1895.

653-656 (1907—50)

"An Act respecting police departments of towns, and regulating the tenure and terms of office of officers and men employed in said departments," passed April 2d, 1907.

654-655 (1910—16)

"An Act to amend an Act entitled 'An Act respecting police departments of towns, and regulating the tenure and terms of office of officers and men employed in said departments,' passed April second, one thousand nine hundred and seven," approved March 9th, 1910.

(1911, ch. 78)

"A Supplement to an Act entitled 'An Act concerning police in municipalities,' approved May fourteenth, one thousand nine hundred and seven," approved March 30, 1912.

(1912, ch. 71)

"An Act to amend an act entitled 'An Act providing for the sale of unclaimed goods and chattels and for the disposition of unclaimed money by police departments of this State,' approved April twentieth, one thousand nine hundred and nine," approved March 13, 1912.

(1912, ch. 86)

"An Act to amend the title and body of an Act entitled 'An Act concerning police in municipalities,' approved May fourteenth, one thousand nine hundred and seven, so as to make the title and body of the act conform," approved March 19, 1912.

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(1915, ch. 373)

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Pending actions not affected.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Funds not transferred.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds devoted to purpose appropriated.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Contracts and leases valid.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Bond issues not invalidated.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Assessments and tax liens valid.

Sinking fund.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not revived.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceeding may continue as prescribed in the Act under which the same was undertaken and commenced.

Proceedings continue as prescribed.

Acts repealed deemed abrogated.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, one thousand nine hundred and eighteen.

Approved March 29, 1917.

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## CHAPTER 206.

An Act to repeal sundry acts relative to boroughs.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Sundry acts repealed.

1. From and after the time when this Act shall take effect, the following Acts and parts of Acts be repealed: (Comp. Stats., "Boroughs," Sections.)

31, 33, etc., (1897—285)

Sections 31, 33, 34, 35, 36, 37, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94 and 97, of an

Act entitled "A general Act relating to boroughs (Revision, 1897)," approved April 24th, 1897.

1a, 1b (1902—24)

"A Further Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 6th, 1902.

15a (1905—244)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 12th, 1905.

22a (1906—156)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April 24, 1897," passed April 10th, 1906.

28a (1904—231)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 28th, 1904.

28b (1908—98)

"A Further Supplement to an act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April 2d, 1908.

28c (1910—15)

"A Further Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved March 9th, 1916.

29a (1908—118)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 2d, 1908.

33 & 52 (1900—400)

Section 3 and section 4 of "An Act to amend an Act entitled 'A general Act relating to boroughs' (Revision, 1897), approved April twenty-fourth, one thousand

eight hundred and ninety-seven," approved March 23d, 1900.

33 (1905—87)

"An Act to amend an Act entitled 'A general Act relating to boroughs' (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 23d, 1905.

33a (1903—72)

"Supplement to an Act entitled 'A general Act relating to boroughs (Revision, 1897),' approved March 17th, 1903.

33d-33n (1906—344)

"A Further Supplement to an Act entitled 'A general Act relating to boroughs' (Revision, 1897), approved April twenty-seventh, one thousand eight hundred and ninety-seven," approved May 2d, 1906.

33o (1907—409)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision, 1897),' approved March 13th, 1907.

33p (1908—64)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 1st, 1908.

33q (1910—153)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April 7th, 1910.

35a (1903—393)

"A Supplement to an Act entitled 'An Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 8th, 1903.

51a (1902—46)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 20th, 1902.

51b (1910—82)

"A Supplement to an Act entitled 'A general relating to boroughs' (Revision, 1897), approved April twenty-fourth, anno Domini one thousand eight hundred and ninety-seven," approved March 30th, 1910.

53, 54, 56 and 58 (1899—171)

"An Act to amend an Act entitled 'A general Act relating to boroughs' (Revision of one thousand eight hundred and ninety-seven), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 21st, 1899.

55 (1906—86)

All that part of "An Act to amend an Act entitled 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 30th, 1906, which amends section fifty-five of "A general Act relating to boroughs (Revision of 1897)."

58 (1898—399)

"An Act to amend an Act entitled 'A general Act relating to boroughs,' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 12th, 1898.

76 (1899—159)

"An Act to amend an Act entitled 'A general Act relating to boroughs,' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 21st, 1899.

80a (1902—554)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 3d, 1902.

80b (1909—268)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April 19th, 1909.

81 (1901—401)

"Amendment of an Act entitled 'A general Act relating to boroughs (Revision eighteen hundred and ninety-seven),' approved April twenty-fourth, eighteen hundred and ninety-seven," approved March 22d, 1901.

87a-87b (1903—450)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 8th, 1903.

87c-87e (1907—170)

"A Further Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' " approved April 17th, 1907.

90 (1898—356)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 7th, 1898.

90 (1906—133)

"An Act to amend 'A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,' which supplement was approved April seventh, one thousand eight hundred and ninety-eight," approved April 9th, 1906.

90a (1906—236)

"Supplement to the Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April 19th, 1906.

90b (1907—585)

"Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved June 12th, 1907.

90c (1909—269)

"Supplement to the Act entitled 'A general Act relating to boroughs (Revision of 1897),' " approved April 19th, 1909.



90d (1910—362)

"Supplement to an act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 11th, 1910.

98-108 (1889—385)

"An Act to authorize boroughs in this State, located on or near the ocean, and embracing within their limits or jurisdiction any beach or ocean front, to lay out and open streets and drives, and construct public walks along and upon the beach or ocean front, to grade, protect and otherwise improve the same, to provide the money necessary therefor, and to regulate the use thereof," approved May 7th, 1889.

109-116 (1892—196)

"An Act to authorize boroughs in this State to purchase sewer works and systems within the borough limits from individuals or corporations and to provide for the payment, operation and maintenance of the same," approved March 23d, 1892.

117-128 (1894—45)

"An Act to provide for the payment of the cost of sewers heretofore constructed without authority of law in boroughs and borough commissions," approved April 4th, 1894.

129-134 (1898—365)

"An Act respecting boroughs and providing for the purchase of sewers and systems of sewerage and drainage therein, with outlets therefor, and providing for the extension of the same," approved April 8th, 1898.

138 (1903—215)

"An Act to authorize boroughs bordering on the Atlantic ocean, to purchase the lands in any such borough bordering on the ocean and adjacent lands thereto in said borough for public purposes and to improve the same," approved April 7th, 1903.

139-140 (1903—364)

"An Act concerning consolidated boroughs and an-

nexed municipalities and townships," approved April 8th, 1903.

141 (1905—24)

"An Act authorizing boroughs to cause an extension or addition to be made to sewer and water systems, or either, by ordinance and providing for the issue of bonds to pay the costs thereof," approved March 1st, 1905.

142 (1905—109)

"An Act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same," approved March 28th, 1905.

143-144 (1908—260)

"An Act to authorize boroughs to complete and make assessments for the construction of sidewalks and gutters begun before the incorporation of such boroughs," approved April 10th, 1908.

145 (1909—96)

"An Act authorizing boroughs of this State to sell any public utility plant or system owned by such borough when the same cannot be operated other than at a loss to the borough," approved April 8th, 1909.

(1911, ch. 317)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved May 1, 1911.

(1911, ch. 319)

"A Supplement to an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved May 1, 1911.

(1911, ch. 355)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved May 2, 1911.

(1911, ch. 359)

"An Act to authorize and empower boroughs to sell and convey certain real estate," approved May 2, 1911.

(1912, ch. 94)

"A Further Supplement to an Act entitled 'A general Act relating to boroughs' (Revision 1897), approved April twenty-seventh, one thousand eight hundred and ninety-seven," approved March 20, 1912.

(1912, ch. 102)

"Supplement to an Act entitled 'A general Act relating to boroughs' (Revision 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 20, 1912.

(1913, ch. 43)

"An Act respecting police departments of boroughs and regulating the tenure and terms of office and officers and men employed in said departments," approved February 27, 1913.

(1913, ch. 212)

"A Supplement to 'An Act authorizing boroughs to cause an extension of addition to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof,' approved April 1, 1913.

(1913, ch. 239)

"An Act to permit boroughs to sell and dispose of portions of lands dedicated for park purposes to railroad companies and devote the proceeds of said sale to the maintenance of the balance of such dedicated lands for park purposes," approved April 2, 1913.

(1913, ch. 344)

"An Act to amend an Act entitled 'A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), which supplement was approved May thirteenth, one thousand nine hundred and seven," approved April 14, 1913.

(1913, ch. 358)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April

twenty-fourth, one thousand eight hundred and ninety-seven," approved April 14, 1913.

(1913, Spec. Ses., ch. 7)

"Supplement to an Act entitled 'A general Act relating to boroughs' (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved May 27, 1913.

(1914, ch. 184)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 15, 1914.

(1915, ch. 174)

"An Act to amend an Act entitled 'A Supplement to an Act entitled "A general Act relating to boroughs (Revision of 1897)" which supplement was approved March twenty-fifth, one thousand nine hundred and eight, and which supplemental Act was further amended by an Act approved April eighth, one thousand nine hundred and ten," approved April 6, 1915.

(1915, ch. 179)

"Supplement to an Act entitled 'A general Act relating to boroughs' (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 6, 1915.

(1915, ch. 226)

"An Act to amend an Act entitled 'A general Act relating to boroughs' (Revision 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 8th, 1915.

(1915, ch. 227)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision 1897),' approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved April 8, 1915.

(1915, ch. 304)

"An Act to amend an Act entitled 'A general Act relating to boroughs (Revision of 1897),' approved April

twenty-fourth, one thousand eight hundred and ninety-seven," approved April 14, 1915.

(1915, ch. 314)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897), approved April twenty-fourth, eighteen hundred and ninety-seven," approved April 14, 1915.

(1915, ch. 336)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision 1897)," approved April 15, 1915.

(1915, ch. 347)

"An Act to amend an Act entitled 'An Act to enable cities to sell, exchange, lease and convey public lands which are not used, needed or desirable for public purposes,' passed March twenty-eighth, one thousand nine hundred and four," approved April 19, 1915.

(1915, ch. 379)

"A Further Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April 21, 1915.

(1916, ch. 39)

"An Act to amend an Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 13, 1916.

(1916, ch. 179)

"A Supplement to an Act entitled 'A general Act relating to boroughs' (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 17, 1916.

(1916, ch. 190)

"Supplement to an Act entitled 'A general Act relating to boroughs' (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven," approved March 18, 1916.

(1916, ch. 206)

"An Act to amend an Act entitled 'A Supplement to an Act entitled "A general Act relating to boroughs" (Revision of 1897), approved April twenty-fourth, eighteen hundred and ninety-seven,' approved April fourteenth, nineteen hundred and fifteen," approved March 18, 1916.

Pending actions not affected.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Funds not transferred.

Funds devoted to purpose appropriated.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Contracts and leases valid.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Bond issues not invalidated.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith. Assessments and tax liens valid.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued. Sinking fund.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceeding may continue as prescribed in the Act under which the same was undertaken and commenced. Acts not revived. Proceedings continue as prescribed.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated. Acts repealed deemed abrogated.

10. This act shall take effect February first, one thousand nine hundred and eighteen. Act effective.

Approved March 29, 1917.

## CHAPTER 207.

An Act to repeal sundry acts relative to public parks and recreation grounds.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. From and after the time when this act shall take effect the following Acts and parts of Acts be repealed. Sundry acts repealed.  
(Comp. Stats., "Public Park, etc.," Sections.)

1, 2 (1883—102)

“An Act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State,” approved March 14, 1883.

1, 1a (1885—103)

“An Act amending ‘An Act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State,’ approved March fourteenth, one thousand eight hundred and eighty-three,” approved March 18th, 1885.

1, 1a (1893—397)

“An Act amending an act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State,” approved March fourteenth, one thousand eight hundred and eighty-three,” approved March 17, 1893.

3-5 (1889—395)

“A Supplement to An Act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State,” approved March fourteenth, one thousand eight hundred and eighty-three,” approved May 7th, 1889.

6-7 (1889—396)

“A Supplement to an Act entitled ‘An Act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State,’ approved March fourteenth, one thousand eight hundred and eighty-three,” approved May 7th, 1889.

6 (1893—204)

“An Act to amend an Act entitled ‘A supplement to an act entitled “An Act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State,” approved March fourteenth, one thousand eight hundred and eighty-three,’ which supplement was approved May seventh, one thousand eight hundred and eighty-nine,” approved March 10, 1893.



8-12 (1892—54)

"An Act to provide for the purchase and otherwise acquiring of lands within the corporate limits of towns and boroughs of this State, for the purpose of public parks and places of resort for the public use, health and recreation, and to provide for the improvement and maintenance of the same," approved March 7th, 1892.

13-17 (1894—217)

"An Act to enable the governing body of any town, village or township to enlarge existing parks," approved May 8, 1894.

18 (1902—187)

"An Act to authorize the transfer of certain parts of public parks, where the same may be required for other public uses," approved March 27, 1902.

19-24 (1902—574)

"An Act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this State," approved April 4th, 1902.

23 (1906—553)

"An Act to amend an act entitled 'An Act to provide for the purchase, construction and maintenance of public parks by cities and other municipalities in this State,' approved April fourth, one thousand nine hundred and two," approved May 17, 1906.

25 (1905—265)

"An Act to authorize the transfer of certain parts of public parks or open spaces, or any interests, easements or rights of way therein, where the same may be required by any municipality for a distributing reservoir and necessary connections," approved April 13, 1905.

26-29 (1910—196)

"An Act to authorize villages or townships or municipalities governed by boards of commissioners or improvement commissions to acquire lands for public parks by purchase or condemnation, and to improve the same, and to issue and sell bonds to provide for the cost of such acquisition and improvement, and to provide by

tax for the payment of the principal of and interest on said bonds," approved April 8, 1910.

30-34 (1910-470)

"An Act to authorize the acquisition by purchase or condemnation of lands for public parks by the cities and towns of this State, and for the improvement and regulation thereof, and for the issuing of bonds and temporary obligations for such purpose, and to provide for the payment thereof," approved April 12th, 1910.

111-113 (1886-393)

"An Act concerning cities," passed June 1, 1886.

114-116 (1888-33)

"An Act to enable cities to purchase lands for public parks or squares, and improve the same, and to issue bonds for the cost of such purchase and improvement," approved February 14, 1888.

117-118 (1890-296)

"An Act to empower cities to acquire land for public parks by condemnation," approved May 12, 1890.

120-123 (1904-274)

"An Act to provide for the planting and care of shade and ornamental trees in the public highways of any city of this State by the authorities having the management of the public parks in any such city," approved March 28, 1904.

124-130 (1906-538)

"An Act to provide for the purchase, construction, improvement and maintenance of public parks by cities in this State," approved May 17th, 1906.

131-133 (1907-265)

"An Act to authorize the city council or other governing body of any city in this State bordering on an arm of the sea or other navigable stream, or through which a navigable stream shall run, to purchase lands thereon, or to use and devote such lands already acquired on such arm of the sea or other navigable streams for the purpose of erecting, constructing and maintaining one or more public docks, wharves or piers,

to be used in whole or in part for recreation purposes; to issue bonds for the purpose of securing money to pay for the lands purchased and for the construction of said docks, wharves or piers," approved April 25th, 1907.

141-142 (1909-251)

"An Act to authorize cities to acquire and improve water-front parks, and to authorize the issue of bonds to pay for the same," approved April 17th, 1909.

143-148 (1909-309)

"An Act to provide for the purchase, construction, improvement and maintenance of public parks by cities in this State," approved April 20, 1909.

149-152 (1910-140)

"An Act to authorize the cities of this State to acquire lands for public parks by purchase or condemnation, and to improve the same, and to issue and sell bonds to provide for the cost of such acquisition and improvement, and to provide by tax for the payment of the principal of and interest on said bonds," approved April 5, 1910.

153-156 (1902-823)

"An Act to authorize cities of the first class in this State to provide music in the public parks of such cities during the months of July and August in each year," approved April 9, 1902.

155 (1910-54)

"An Act to amend an Act entitled 'An Act to authorize cities of the first class in this State to provide music in the public parks of such cities during the months of July and August in each year,' approved April ninth, one thousand nine hundred and two," approved March 23, 1910.

157-160 (1890-493)

"An Act to enable cities of the second class to acquire lands, for or without consideration, or by devise, beyond and within three miles of the corporate limits of said cities, for public parks, and to provide for the

development and control of said lands for park purposes," approved June 20, 1890.

166-168 (1904-283)

"An Act to enable cities of the second class of this State to improve public parks," approved March 28, 1904.

169-172 (1905-514)

"An Act to authorize cities of the second class in this State to provide music in the public parks of such cities during the months of July and August in each year," approved June 26, 1905.

179-181 (1896-108)

"An Act to provide for music for the public parks and other public places to which the people resort for pleasure, recreation and amusement in the boroughs of this State," approved March 23, 1896.

Pending actions not affected.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Funds not transferred.

Funds devoted to purpose appropriated.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Contracts and leases valid.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this

Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board. Bond issues not invalidated.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith. Assessments and tax liens valid.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued. Sinking fund.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceeding may continue as prescribed in the Act under which the same was undertaken and commenced. Acts not revived.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated. Proceedings continue as prescribed.

10. This act shall take effect February first, one thousand nine hundred and eighteen. Acts repealed deemed abrogated.

Approved March 29, 1917. Act effective.

## CHAPTER 208.

An Act to repeal sundry acts relative to municipal corporations.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Sundry acts  
repealed.

1. From and after the time when this Act shall take effect the following Acts and parts of Acts be repealed. (Comp. Stats., "Munic. Corp." Sections.)

1-4 (1885-58)

"An Act enabling a change of name of certain municipalities incorporated as commissions," passed March 9, 1885.

5-6 (1887-76)

"An Act to confer the authority of changing the name of a town or village upon the court of common pleas," approved March 31, 1887.

7-16 (1891-456)

"An Act concerning consolidated cities and towns and annexed townships, and regulating the manner of such annexation and consolidation," approved April 16, 1891.

17-19 (1895-417)

"An Act to provide for the annexation of additional territory to cities of the third class and incorporated towns," approved March 21, 1895.

20 (1896-171)

"An Act relating to the formation of boroughs and villages," approved March 26, 1896.

22-32 (1898-28)

"An Act relating to the newly-created municipalities," approved February 24, 1898.

26 & 24 (1898-393)

"An Act to amend an Act entitled 'An Act relating to newly-created municipalities,' approved February twen-

ty-fourth, one thousand eight hundred and ninety-eight," approved April 11, 1898.

33-34 (1906—543)

"A Supplement to an Act entitled 'An Act to amend an Act entitled "An Act relating to newly-created municipalities," approved February twenty-fourth, one thousand eight hundred and ninety-eight,' approved April eleventh, one thousand eight hundred and ninety-eight," approved May 17, 1906.

35-36 (1898—109)

"An Act to make the boundary line between adjoining municipalities the middle of any public road, avenue or street along which a boundary line runs, and relating to public improvements made on either side of such boundary line," approved March 16, 1898.

37-40 (1886—20)

"An Act to provide for the division of incorporated towns, townships and boroughs into wards, and to regulate representation therein," passed February 15, 1886.

41-43 (1895—64)

"A Supplement to an Act entitled 'An Act to provide for the division of incorporated towns, townships and boroughs into wards, and to regulate representation therein,' passed February fifteenth, one thousand eight hundred and eighty-six," approved February 12, 1895.

48 (1897—191)

"An Act to provide, in incorporated towns, townships and boroughs, for representation and offices in newly-created wards by division of an old ward," approved April 9, 1897.

51 (1880—309)

"An Act to regulate term of office in municipalities," approved March 12, 1880.

51 (1882—85)

"A Supplement to 'An Act to regulate term of office in municipalities,' approved March twelfth, one thousand eight hundred and eighty," approved March 10, 1882.

78 (1885—37)

"An Act to provide for the execution and giving of official bonds by clerks and treasurers of boroughs and villages," approved February 23, 1885.

79 (1885—179)

"An Act relating to elections and appointments to office hereafter to be made by any board of aldermen, common council, township committee or other municipal board or body," approved March 31, 1885.

80-81 (1886—98)

"An Act to authorize certain boards of commissioners and improvement commissions to change the date of their annual elections," approved March 22, 1886.

83-92 (1891—147)

"An Act authorizing all incorporated towns, boroughs, police, sanitary and improvement commissions, and all places governed by commissions in this State, to change the time of holding the municipal election therein," approved March 16, 1891.

93-94 (1891—307)

"An Act to enable certain municipal corporations of this State to regulate the salaries of certain of its officers," approved April 2, 1891.

100-103 (1891—411)

"An Act concerning bonds given by municipal officers or employees for the proper performance of official duty," approved April 14, 1891.

106-107 (1892—21)

"An Act concerning elections in municipalities in counties of the first class and fixing the time for holding the same," passed February 10, 1892.

109 (1892—250)

"A Supplement to an Act entitled 'An Act concerning elections in municipalities in counties of the first class, and fixing the time for holding the same,' passed February 10, 1892," approved March 24, 1892.



110-112 (1892-272)

"An Act concerning elections in municipalities in certain counties of this State and fixing the time for holding the same," approved March 24, 1892.

115 (1895-284)

"An Act to authorize the common council or other governing body of certain municipalities in this State to change the time of holding the annual election therein," approved March 14, 1895.

116-117 (1895-559)

"An Act to empower boards of aldermen, councilmen or other governing bodies of cities, towns or boroughs of this State to give notice of intention to pass ordinances for any public improvement by publication," approved March 22, 1895.

118 (1897-28)

"An Act concerning term of officers of townships and villages in counties of second class," approved March 1, 1897.

120 (1897-377)

"An Act fixing the time for holding the annual elections for the election of municipal officers in cities, towns and boroughs of this State," approved May 12, 1897.

137-138 (1906-13)

"An Act relative to the official oaths of officers heretofore or that may hereafter be elected or appointed to office in the towns, townships, boroughs and other municipalities of this State," approved February 19, 1906.

139 (1906-88)

"An Act relative to the terms of office of persons chosen or appointed by municipal boards or bodies of this State," approved March 30th, 1906.

153-155 (1902-619)

"An Act authorizing the governing bodies of municipalities, other than cities, to provide, by ordinance, for the official numbering of houses and buildings," approved April 8th, 1902.

158-160 (1910-299)

"An Act relating to the sale and use of fire-crackers, fire-works, fire-arms and other explosives," approved April 9th, 1910.

161 (1882-35)

"An Act to authorize cities and boroughs to provide, by ordinance, for the licensing, regulating, restraining and taxing of auctions and auctioneers," approved March 1st, 1882.

171-172 (1889-375)

"An Act to authorize cities and boroughs to provide by ordinance for the licensing, regulating and restraining of persons and vehicles for the sprinkling of streets with pure water," approved May 7th, 1889.

173 (1890-150)

"An Act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary improvement commissions, and incorporated camp-meeting associations and seaside resorts," approved March 31st, 1890.

173 (1894-393)

"An Act to amend an Act entitled 'An Act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and seaside resorts,' approved March thirteenth, one thousand eight hundred and ninety," approved May 16th, 1894.

186 (1905-360)

"An Act respecting licenses in cities, townships, incorporated towns, incorporated boroughs," approved April 28th, 1905.

186 (1908-588)

"An Act to amend an Act entitled 'An Act respecting licenses in cities, townships, incorporated towns, incorporated boroughs,' approved April twenty-eighth, one thousand nine hundred and five," approved April 15th, 1908.

187-192 (1886—350)

"An Act concerning towns and cities," passed May 11th, 1886.

193-195 (1889—253)

"An Act to enable certain municipal corporations of this State to erect buildings and structures for municipal uses and purposes," approved April 10th, 1889.

193 (1890—423)

"An Act to amend an Act entitled 'An Act to enable certain municipal corporations of this State to erect buildings and structures for municipal uses and purposes,' approved April tenth, anno Domini eighteen hundred and eighty-nine," approved June 9th, 1890.

194-195 (1891—303)

"A Further Supplement to an Act entitled 'An Act to enable certain municipal corporations of this State to erect buildings and structures for municipal uses and purposes,' approved April tenth, one thousand eight hundred and eighty-nine," approved April 2d, 1891.

196-200 (1902—16)

"An Act to enable any municipal corporation of this State to acquire property for municipal uses and purposes," approved March 5th, 1902.

201 (1908—597)

"An Act enabling the several municipalities in this State to grant rooms in their respective city halls or other municipal buildings to any organization composed of veterans of the Civil War," approved April 15th, 1908.

201 (1909—45)

"An Act to amend the title and an act entitled 'An act enabling the several municipalities in this State to grant rooms in their respective city halls or other municipal buildings to any organization composed of veterans of the Civil War,' approved April fifteenth, one thousand nine hundred and eight," approved March 24th, 1909.

202-207 (1910-193)

"An Act to authorize villages or townships or municipalities governed by boards of commissioners or improvement commissions to acquire lands by purchase or condemnation, and erect buildings thereon for public offices and other municipal uses, and to furnish the same, and to issue bonds to provide for the expense of such acquisition and improvements, and to provide by tax for the payment of the principal of and interest on said bonds," approved April 8th, 1910.

220 (1897-208)

"An Act to authorize any town, village or municipality governed by a board of commissioners or improvement commission, to lay out, open, widen, alter and vacate streets, roads or avenues, and to locate and construct sewers and to acquire lands and buildings or parts thereof, by purchase or condemnation, for such purposes," approved April 13th, 1897.

221 (1907-405)

"A Supplement to an act entitled 'An act to authorize any town, village or municipality governed by a board of commissioners or improvement commission to lay out, open, widen, alter and vacate streets, roads or avenues, and to locate and construct sewers and to acquire lands and buildings or parts thereof by purchase or condemnation for such purposes,' approved April thirteenth, eighteen hundred and ninety-seven," approved May 11th, 1907.

222 (1909-271)

"A Further Supplement to an act entitled 'An act to authorize any town, village or municipality governed by a board of commissioners, improvement commission or common council to lay out, open, widen, alter and vacate streets, roads or avenues, and to locate and construct sewers and to acquire lands and buildings or parts thereof by purchase or condemnation for such purposes,' approved May eleventh, one thousand nine hundred and seven," approved April 19th, 1909.

226 (1904—291)

"An Act to authorize townships, boroughs and villages to acquire property for public uses by purchase or condemnation," approved March 29th, 1904.

227-229 (1904—368)

"An Act to authorize and empower the governing body of any city, town, township, borough or other municipality of this State to condemn, take and extinguish any right, title, interest, easement or estate in or to any land located in such municipality, dedicated or devoted, wholly or partially, to any public use," approved March 30th, 1904.

230-232 (1882—93)

"An Act to provide for the removal of snow and ice from the sidewalks and gutters of the streets and highways in cities, towns and boroughs of this State," approved March 14th, 1882.

233-235 (1883—46)

"An Act respecting the repairing and relaying of plank, stone and other walks in incorporated towns and boroughs of this State," approved February 23d, 1883.

236-238 (1884—18)

"An Act to provide for the removal of snow and ice from the sidewalks and gutters of the streets in incorporated towns and boroughs in this State," approved February 13th, 1884.

239-242 (1886—237)

"An Act to enable boards of commissioners and improvement commissions in towns and villages, or within townships in this State, to enforce their ordinances respecting the laying and repairing of sidewalks, and to collect assessments for the cost and expenses thereof," passed April 16th, 1886.

243 (1886—389)

"An Act authorizing the lighting of public streets and places in the cities, towns, townships, boroughs and villages of the State," passed June 1st, 1886.

244-256 (1888—340)

"An Act to authorize the paving of streets in boroughs and incorporated towns of this State, and to provide for the payment thereof," approved March 30th, 1888.

257-258 (1888—381)

"A General Act for the assessment of the costs and expenses of street improvements that lie between or run through two or more municipalities," approved April 3d, 1888.

259-260 (1888—457)

"An Act authorizing certain towns and townships to extend streets or roads over and into adjoining municipalities," approved April 23d, 1888.

261 (1889—384)

"An Act respecting contracts by boards of commissioners in townships or villages, for lighting public streets, approved May 7, 1889.

262-263 (1890—412)

"An Act to authorize the common council of incorporated towns and boroughs of this State to sell and convey lands in certain cases," approved June 3d, 1890.

264 (1890—451)

"An Act to authorize the improvement of roads, streets and highways in boroughs and incorporated villages in this State, and to provide for the payment thereof," approved June 13th, 1890.

265 (1891—60)

"An Act to enable boards of commissioners and improvement commissions in towns and villages, or within townships in this State, to pass and enforce their ordinances respecting driving upon the public streets, and to collect the penalty for the violation thereof," passed February 23, 1891.

266-270 (1891—162)

"An Act to authorize the improvement of roads, streets and highways, in towns, boroughs, villages and municipalities governed by boards of commissioners or

improvement commissions, and to provide for the issuing of bonds for the payment of the expenses thereof," approved March 16, 1891.

266-268 and 271 (1909-30)

"An Act to amend and to supplement an act entitled 'An act to authorize the improvement of roads, streets and highways in towns, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions, and to provide for the issuing of bonds for the payment of the expenses thereof,' approved March sixteenth, one thousand eight hundred and ninety-one," approved March 16, 1909.

272-292 (1891-206)

"An Act authorizing municipalities governed by commissioners to pave and improve streets and avenues and provide for the payment thereof," approved March 20, 1891.

293-298 (1892-99)

"An Act in relation to the laying out, opening, widening and extending streets and highways in certain towns and townships," approved March 10, 1892.

299-313 (1892-260)

"An Act authorizing towns and townships which are adjacent to a city in the same county to lay out, open and construct a road or street connecting with a road or street in such adjoining city," approved March 24, 1892.

314-316 (1892-318)

"An Act providing for changing, altering and relocating the lines, boundaries and locations of unopened streets and avenues, and authorizing the acceptance of dedications of streets and avenues in certain cases, in towns, boroughs and townships having an official map or map or plan establishing the boundaries of streets and avenues," approved March 28, 1892.

317-320 (1892-355)

"An Act concerning villages and townships," approved March 29, 1892.

321-332 (1893-136)

"An Act to provide for the widening and constructing of roads or streets lying along or adjacent to the boundary lines of municipal corporations," approved March 9, 1893.

333-334 (1893-333)

"An Act concerning streets and avenues in towns and townships in this State," approved March 15, 1893.

335-339 (1893-496)

"An Act to provide for the planting and care of shade trees on the highways of the municipalities of this State," approved March 28th, 1893.

335 (1907-398)

"An Act to amend an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eighth, one thousand eight hundred and ninety-three," approved May 10th, 1907.

336 (1908-229)

"An Act to amend an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eighth, one thousand eight hundred and ninety-three," approved April 10th, 1908.

340-342 (1905-212)

"A Supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eighth, one thousand eight hundred and ninety-three," approved April 6th, 1905.

343-345 (1906-333)

"A Supplement to an act entitled 'An Act to provide for the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eighth, one thousand eight hundred and ninety-three," approved May 2d, 1906.

346 (1908-401)

"Supplement to an act entitled 'An act to provide for



the planting and care of shade trees on the highways of the municipalities of this State,' approved March twenty-eighth, one thousand eight hundred and ninety-three," approved April 13th, 1908.

346 (1910—277)

"An Act to amend an act entitled 'Supplement to an act entitled "An act to provide for the planting and care of shade trees on the highways of the municipalities of this State," approved March twenty-eighth, one thousand eight hundred and ninety-three,' which supplement was approved April thirteenth, one thousand nine hundred and eight," approved April 9th, 1910.

347-349 (1894—170)

"An Act relative to the lighting of streets, roads and public places in this State," approved May 1st, 1894.

350 (1894—189)

"An Act to enable township committees, or the governing bodies of any boroughs, towns, villages or improvement commissions in towns and villages, or within townships in this State, to pass and enforce their ordinances respecting the use of broad tires on wagons and carts upon their macadamized public streets and to collect the penalty for the violation thereof," approved May 1st, 1894.

351 (1894—477)

"An Act authorizing the lighting of public streets and places in the cities, towns, townships, boroughs and villages of the State, and to erect and maintain the proper appliances," approved May 22d, 1894.

352 (1895—381)

"An Act relating to towns and boroughs," approved March 20th, 1895.

353-356 (1899—219)

"An Act to provide for the removal of snow and ice, grass, weeds and other impediments from the sidewalks and gutters of streets and avenues in municipalities of this State," approved March 22d, 1899.

366 (1900—161)

"An Act to authorize municipalities to light turnpike roads," approved March 22d, 1900.

367-368 (1901—230)

"An Act to authorize the paving, repaving, curbing, recurring and otherwise improving of roads, streets and highways in municipalities governed by boards of commissioners or improvement commissions, and to provide a method of issuing bonds to meet the expenses of such improvements," approved March 31st, 1901.

367-380 (1908—212)

"An Act to amend the title of an act entitled 'An act to authorize the paving, repaving, curbing, recurring, and otherwise improving of roads, streets and highways in municipalities governed by boards of commissioners or improvement commissions, and to provide a method of issuing bonds to meet the expenses of such improvements,' approved March thirty-first, one thousand nine hundred and one, and to otherwise amend and supplement said act," approved April 9th, 1908.

381-389 (1902—348)

"An Act providing for the paving of any street or avenue or section thereof which forms the boundary line between two adjoining municipalities," approved April 3d, 1902.

390-391 (1902—676)

"An Act to regulate the use of wagons, carriages, and similar vehicles, and to require uniformity of ordinances affecting the same," approved April 9th, 1902.

392-394 (1904—255)

"An Act to provide for the removal of snow, ice, grass, weeds and other impediments from the sidewalks and gutters of streets, avenues and highways in municipalities of this State," approved March 28th, 1904.

395 (1905—216)

"An act to authorize any city or other municipality where a street railroad has been laid in part of any of its streets or avenues and said railroad company has

paved and maintains a certain space through the part of such street or avenue where its railroad is laid—to lay out and maintain as a lawn and arbor a space of the same width as such pavement through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor," approved April 6th, 1905.

407-408 (1906—522)

"An Act in relation to the control of public parks belonging to or under the control of any municipality of this State or any department in the government thereof," approved May 17th, 1906.

409-412 (1907—275)

"An Act providing for the reimprovement of any street, avenue, road or highway, or the portion of such street, avenue, road or highway, lying in whole or in part only in one town, township or borough which has heretofore been improved and for which improvement assessments for benefits have been heretofore levied and imposed, and for the issue of bonds to pay for said improvements," approved May 6th, 1907.

413-416 (1909—197)

"An Act to authorize the governing body of any municipality in this State to improve any road, street, parkway, or other public highway therein with suitable curbing, gutters and sidewalks, and providing for the payment therefor," approved April 16th, 1909.

417-422 (1909—238)

"An Act to authorize cities and boroughs in this State, located on or near the Atlantic Ocean, to lay out, construct, repair or enlarge and maintain boardwalks, or other sidewalks and streets and public places along the ocean front embraced within their limits or jurisdiction, and to provide the money necessary therefor, and to regulate the use thereof," approved April 17th, 1909.

423 (1910—253)

"An Act respecting the improvement of county roads

in municipalities and providing for the issuance of bonds in payment of such improvement," approved April 8th, 1910.

424-426 (1885-56)

"An Act for the establishing and maintaining sewers in localities governed by commissioners," passed March 9, 1885.

427-432 (1886-71)

"An Act to authorize the construction of drains and sewers upon and across private property upon suitable compensation to the owner or owners thereof in incorporated towns in this State," approved March 6, 1886.

429 and 433 (1890-103)

"A Supplement to an act entitled 'An act to authorize the construction of drains and sewers upon and across private property, upon suitable compensation to the owner or owners thereof, in incorporated towns in this State,' approved March sixth, one thousand eight hundred and eighty-six," approved March 24th, 1890.

434 (1889-303)

"An Act providing for the assessing of lands benefited by the construction of lateral or other sewers connecting with a main or outlet sewer," approved April 18th, 1889.

435-453 (1890-310)

"An Act to authorize towns and villages to construct sewers and drains, and to provide for the payment of the cost thereof," approved May 12th, 1890.

435, 436, 447, 452 and 453 (1898-112)

"A Supplement to an act entitled 'An act to authorize towns and villages to construct sewers and drains and to provide for the payment of the cost thereof,' approved May twelfth, one thousand eight hundred and ninety," approved March 17th, 1898.

435 (1907-162)

"An Act to amend an act entitled 'An act to authorize towns and villages to construct sewers and drains and to provide for the payment of the cost thereof,' ap-

proved May twelfth, eighteen hundred and ninety," approved April 17th, 1907.

454 (1892—58)

"An Act concerning the levying of assessments for sewers," approved March 8th, 1892.

455-456 (1892—452)

"An Act to allow towns, villages or other municipal corporations to acquire and use lands or real estate in an adjoining township or other municipal corporation for use for the construction of a sewage receptacle or sewage disposal works," approved April 9, 1892.

457 (1895—59)

"An Act to render valid the proceedings of towns and other municipalities in the matter of the construction of sewers and the issuing of bonds to pay for the same," approved February 5th, 1895.

458-464 (1895—95)

"An Act concerning the making and collection of assessments for benefits conferred, by the construction of sewers and drains," approved February 19th, 1895.

465 (1896—253)

"A Supplement to an act entitled 'An Act concerning the making and collecting of assessments for benefits conferred by the construction of sewers and drains,' approved February nineteenth, one thousand eight hundred and ninety-five," approved April 14th, 1896.

466-469 and 471 (1895—189)

"An Act to enable towns, villages and municipalities governed by boards of commissioners or improvement commissions to construct sewers through tide-water creeks or water courses within their corporate limits," approved March 6, 1895.

466, 469, 470 (1896—106)

"An Act to amend an act entitled 'An act to enable towns, villages and municipalities governed by boards of commissioners or improvement commissions to construct sewers through tide-water creeks or water courses within their corporate limits,' approved March

sixth, anno Domini one thousand eight hundred and ninety-five," approved March 23, 1896.

472 (1895—321)

"An Act concerning the qualifications of commissioners appointed to assess benefits conferred by the construction of sewers and drains in certain cases," approved March 14th, 1895.

544-547 (1901—251)

"An Act to enable boards of managers or other governing bodies of charitable, philanthropic, penal or reformatory institutions to construct and maintain sewers in and through the streets and public highways of any municipality and to dispose of sewage," approved March 22, 1901.

548-550 (1903—156)

"An Act concerning the levying of assessments for sewers," approved April 1st, 1903.

551-565 (1905—156)

"An Act to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants and to provide for the payment and cost thereof," approved March 31, 1905.

(Amend. Title 566, etc. (1907—543))

"An Act to amend an act entitled 'An act to authorize incorporated towns or townships to construct sewers, drains and sewerage disposal plant or plants and to provide for the cost thereof,' approved March thirty-first, one thousand nine hundred and five," approved May 27, 1907.

566 (1907—159)

"A Further Supplement to an act entitled 'An act to authorize incorporated towns and townships to construct sewers, drains and a sewer disposal plant or plants and to provide for the payment and costs thereof,' approved March thirty-first, one thousand nine hundred and five," approved April 16, 1907.

567-578 (1907—544)

"A Supplement to an act entitled 'An act to authorize

towns and townships to construct sewers, drains and sewerage disposal plant or plants, and to provide for the cost, maintenance and operation thereof." The original act, before amendment, constituted chapter seventy-seven of the Pamphlet Laws of one thousand nine hundred and five, and was entitled "An act to authorize towns and townships to construct sewers, drains and sewerage disposal plant or plants, and to provide for the cost thereof," approved May 27, 1907.

579-580 (1907-300)

"An Act concerning the making and collecting of assessments for benefits conferred by the construction of sewers," approved May 7th, 1907.

581-591 (1907-707)

"An Act to empower municipalities to establish and maintain plants for the treatment, disposal or rendering of sewage," approved October 29, 1907.

593-598 (1909-187)

"An Act to enable towns, townships, boroughs, villages and municipalities governed by boards of commissioners, or improvement commissions, to construct sewers through tide-water creeks, or other water courses, within their corporate limits, and to acquire lands by purchase or condemnation for such purpose, and to provide for the issuing of bonds for the payment of the expenses thereof," approved April 16, 1909.

651 (1878-92)

"An Act relating to municipal or other authorities owning or managing works for the supplying of water to the public," approved March 14th, 1878.

651 (1881-170)

"A Supplement to an act entitled 'An act relating to municipal or other authorities owning or managing works for the supplying of water to the public,' approved March fourteenth, one thousand eight hundred and seventy-eight," approved March 22d, 1881.

652-654 (1879-314)

"A Supplement to an act entitled 'An act relating to municipal or other authorities owning or managing

works for the supplying of water to the public,' approved March fourteenth, one thousand eight hundred and seventy-eight," approved March 14th, 1879.

654 (1881—63)

"A Further Supplement to an act entitled 'A supplement to an act entitled "An act relating to municipal or other authorities owning or managing works for the supplying of water to the public," which supplement was approved March fourteenth, one thousand eight hundred and seventy-nine,' " approved March 2d, 1881.

655 (1880—54)

"A Supplement to an act entitled 'An act relating to municipal or other authorities owning or managing works for the supplying of water to the public,' approved March fourteenth, one thousand eight hundred and seventy-eight," approved February 26th, 1880.

658 (1881—118)

"An Act to authorize municipal corporations to contract for a supply of water for public uses," approved March 15th, 1881.

658 (1884—324)

"An Act to amend an act entitled 'An act to authorize municipal corporations to contract for a supply of water for public uses,' which act was approved March fifteenth, one thousand eight hundred and eighty-one," approved May 9th, 1884.

659-663 (1884—194)

"A Supplement to an act entitled 'An act to authorize municipal corporations to contract for a supply of water for public uses,' approved March fifteenth, one thousand eight hundred and eighty-one," approved April 17th, 1884.

661 (1905—271)

"An Act to amend an act entitled 'A supplement to an act entitled "An act to authorize municipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and eighty-one,' which supplement was approved April



seventeenth, one thousand eight hundred and eighty-four," approved April 14th, 1905.

665-668 (1887-20)

"An Act to authorize municipal corporations to contract for a supply of water for public uses," approved March 16th, 1887.

669 (1888-366)

"An Act to authorize any of the municipal corporations of this State to contract for a supply, or a further or other supply of water therefor," approved April 2d, 1888.

670-671 (1897-232)

"An Act to authorize municipal corporations owning or controlling water works to make contracts to furnish water for public or private uses with any adjoining municipality or with any private corporation therein," approved April 16th, 1897.

672 (1899-529)

"An Act to authorize towns, townships and boroughs owning or controlling water works to supply dwellers in towns, townships and boroughs, through which their mains may pass, with water," approved March 24th, 1899.

673-674 (1901-416)

"An Act to authorize municipalities to modify the terms of any contract heretofore or hereafter made for a new water supply," approved March 22d, 1901.

682-684 (1910-204)

"An Act to facilitate the collection of water rents or rates in cities, towns, boroughs, villages and townships owning their own water department, other than cities of the first class," approved April 8th, 1910.

685-686 (Rev. of 1877, p. 711)

"An Act relating to notices of filing reports of assessments," approved April 13th, 1876 (Revision of New Jersey, 1877, p. 711).

687-700, 702, 704-706 (1878-70)

"An Act to provide for the assessment and payment of the costs and expenses incurred in constructing sew-

ers and making other improvements in townships and villages," approved March 12th, 1878.

687 and 706 (1880—308)

"An Act to amend an act entitled 'An act to provide for the assessment and payment of the costs and expenses incurred in constructing sewers and making other improvements in townships and villages,' approved March twelfth, one thousand eight hundred and seventy-eight," approved March 12th, 1880.

699 (1879—287)

"A Supplement to an act entitled 'An act to provide for the assessment and payment of costs and expenses incurred in constructing sewers, and making other improvements in townships and villages,' approved March twelfth, one thousand eight hundred and seventy-eight," approved March 14, 1879.

699 (1899—46)

"An Act to amend an act entitled 'A supplement to an act entitled "An act to provide for the assessment and payment of costs and expenses incurred in constructing sewers and making other improvements in townships and villages," approved March twelfth, one thousand eight hundred and seventy-eight, which supplemental act was approved March fourteenth, one thousand eight hundred and seventy-nine," approved March 15th, 1899.

701 (1881—137)

"A Further Supplement to an act entitled 'An act to provide for the assessment and payment of costs and expenses incurred in constructing sewers, and making other improvements in townships and villages,' approved March twelfth, one thousand eight hundred and seventy-eight," approved March 18th, 1881.

703 (1882—37)

"A Supplement to an act entitled 'An act to provide for the assessment and payment of the costs and expenses incurred in constructing sewers and making other improvement in townships and villages,' approved March twelfth, one thousand eight hundred and seventy-eight," approved March 1st, 1882.

707-710 (1888—209)

"A Supplement to an act entitled 'An act to provide for the assessment and payment of the costs and expenses incurred in constructing sewers and making other improvements in townships and villages,' approved April twelfth, one thousand eight hundred and seventy-eight," approved March 23d, 1888.

711 (1891—330)

"A Further Supplement to act entitled 'An act to provide for the assessment and payment of the costs and expenses incurred in constructing sewers and making other improvements in townships and villages,' approved March twelfth, one thousand eight hundred and seventy-eight," approved April 6th, 1891.

712-715 (1878—316)

"An Act in relation to the payment of assessments for local improvements," approved April 5th, 1878.

715 (1885—89)

"An Amendment to an act entitled 'An act in relation to the payment of assessments for local improvements,' approved April fifth, one thousand eight hundred and seventy-eight," passed March 11th, 1885.

716-717 (1881—38)

"An act concerning past-due assessments in certain towns and townships of this State," approved February 18th, 1881.

718 (1883—239)

"An Act respecting assessments for local improvements in towns and townships," approved March 23d, 1883.

719-722 (1884—54)

"An Act to authorize the amendment and re-institution of defective or illegal proceedings for laying out, opening, altering or closing streets and avenues in incorporated boroughs, towns and villages, and assessments on account thereof, and for the collection of said assessments," approved March 5th, 1884.

723 (1898—203)

"An Act concerning assessments for benefits for local improvements on lands that may be or may have been mortgaged to or owned by any officer of this State, or official or person appointed by any court or in any judicial proceeding, in his official capacity, and held in trust for the benefit of any person," approved April 1st, 1898.

724-725 (1905—414)

"An Act to authorize consolidated and annexed municipalities to make assessments for local improvements," approved April 29th, 1905.

727 (1888—95)

"An Act to enable certain municipal corporations of this State to raise increased sums of money for public purposes," approved February 22d, 1888.

727 (1895—284)

"An Act to amend an act entitled 'An act to enable certain municipal corporations of this State to raise increased sums of money for public purposes,' approved February twenty-second, one thousand eight hundred and eighty-eight," approved March 14th, 1895.

728 (1898—354)

"An Act to authorize the council or other legislative body having control of the financial affairs of boroughs, towns, townships or other municipalities, to offset judgments secured against them by crediting the same upon overdue taxes, assessments and like indebtedness," approved April 7th, 1898.

742-743 (1909—273)

"An Act to enable any municipality of this State to hold a public celebration of the opening of any tunnel railway connecting said municipality with any other municipality in or outside this State, and to provide funds for the same," approved April 19th, 1909.

745-746 (Rev. of 1877, p. 717)

"An Act respecting bonds of cities, towns, townships and other incorporated places," approved April 21st, 1876. (Revision of New Jersey, 1877, p. 717.)

747-749 (1877-150)

"An Act to authorize cities to issue bonds to fund obligations incurred for street improvements," approved March 9th, 1877.

750-753 (1880-121)

"A Supplement to 'An act to authorize cities to issue bonds to fund obligations incurred for street improvements,' approved March ninth, one thousand eight hundred and seventy-seven, extending the provisions thereof to incorporated townships and boroughs," approved March 4th, 1880.

754-755 (1882-73)

"A Supplement to the act entitled 'An act to authorize cities to issue bonds to fund obligations incurred for street improvements,' approved March ninth, anno Domini one thousand eight hundred and seventy-seven," approved March 9th, 1882.

756-762 (1878-411)

"An Act authorizing the issue of bonds in anticipation of the collection of assessments," approved April 5th, 1878.

763-764 (1879-22)

"An Act authorizing the incorporated cities, towns and townships of this State to renew matured and maturing bonds," approved February 18th, 1879.

763 (1898-95)

"A Supplement to an act entitled 'An act authorizing the incorporated cities, towns and townships of this State to renew matured and maturing bonds,' approved February eighteenth, one thousand eight hundred and seventy-nine," approved March 15th, 1898.

765-766 (1894-57)

"Supplement to an act entitled 'An act authorizing the incorporated cities, towns, townships of this State to renew matured and maturing bonds,' approved February eighteenth, one thousand eight hundred and seventy-nine," approved April 11th, 1894.

767 (1886—121)

"An Act to regulate the issuing of bonds by municipal corporations," approved March 26th, 1886.

767 (1887—67)

"An Act to amend an act entitled 'An act to regulate the issuing of bonds by municipal corporations,' approved March twenty-sixth, one thousand eight hundred and eighty-six," approved March 29th, 1887.

768-770 (1886—320)

"An Act to authorize the issue of bonds for the erection of public buildings and purchase of fire apparatus," approved April 28th, 1886.

771-772 (1890—157)

"An Act to enable incorporated towns and cities of the third class to provide for the payment of arrears of State and county taxes by issue of bonds," passed March 31, 1890.

775-777 (1893—486)

"An Act to allow municipalities to issue bonds for street improvements," approved March 27th, 1893.

778-779 (1894—162)

"An Act authorizing the towns and townships of this State to renew matured and maturing bonds," approved April 30th, 1894.

780 (1895—275)

"An Act to allow municipalities and improvement commissions, other than cities of the first class, to issue certificates of indebtedness for street improvements," approved March 14th, 1895.

782-784 (1899—245)

"An Act authorizing the incorporated cities, towns, townships and boroughs of this State to fund their floating indebtedness and their matured and maturing bonds," approved March 23d, 1899.

782, 783 and 785 (1901—13)

"An Act to amend an act entitled 'An act authorizing the incorporated cities, towns, townships and boroughs of this State to fund their floating indebtedness and

their matured and maturing bonds,' approved March twenty-third, one thousand eight hundred and ninety-three," approved February 11th, 1901.

782 (1907—253)

"An Act to amend an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this State to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hundred and ninety-nine,' and which said amendment was approved February eleventh, one thousand nine hundred and one," approved April 25th, 1907.

782 (1909—183)

"An Act to amend the title and body of an act entitled 'An act authorizing the incorporated cities, towns, townships and boroughs of this State to fund their floating indebtedness and their matured and maturing bonds,' approved March twenty-third, one thousand eight hundred and ninety-three, as amended by chapter three of the laws of one thousand nine hundred and one, and further amended by chapter one hundred and ten of the laws of one thousand nine hundred and seven, so as to include villages," approved April 16th, 1909.

786 (1901—386)

"A Supplement to an act entitled 'An act authorizing the incorporated cities, towns, townships and boroughs of this State to fund their floating indebtedness and their matured and maturing bonds,' approved March twenty-third, one thousand eight hundred and ninety-nine," approved March 22d, 1901.

787-788 (1900—59)

"An act authorizing cities to renew and refund their bonds, which bonds by their terms can be called and are or may be made payable before maturity by the terms of the same, and to regulate the manner in which moneys devoted to the sinking fund, or under the control of the commissioners of the sinking fund, in such cities, shall be used," approved March 15th, 1900.

790 (1908—32)

"An Act to authorize counties, cities, towns, townships, boroughs, villages, school districts, committees, commissions, and all other municipalities of this State to fix the rate of interest on bonds hereafter issued pursuant to the authority of any general or special law or laws of this State at not exceeding five per centum per annum," approved March 18th, 1908.

792 (1910—347)

"An Act concerning the sale of municipal bonds," approved April 9th, 1910.

(1911, ch. 4)

"An Act to amend the act entitled 'A Supplement to an act entitled "An act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war and authorizing appropriations for such purposes," approved May ninth, one thousand eight hundred and eighty-nine,' which supplement was approved April third, one thousand eight hundred and ninety-seven," approved March 1, 1911.

(1911, ch. 38)

"An Act authorizing municipalities in this State to enact ordinances or regulations relating to the operation of motor boats within this State, providing regulations for the suppression of noise in the operating of said boats and penalties for violations thereof," approved March 17, 1911.

(1911, ch. 109)

"An Act defining the dividing line where two or more municipalities are separated by any public road, avenue or highway, and providing for the maintenance, macadamizing and improvement of such a road, avenue or highway jointly by such municipalities," approved April 6, 1911.

(1911, ch. 121)

"An Act concerning the collection, removal and disposal of ashes and garbage in boroughs and townships



of this State, and providing for the payment of the cost thereof," approved April 6, 1911.

(1911, ch. 135)

"An Act authorizing and regulating the use for water supply and sewer purposes, including proper house connections, by any municipality in any county of this State, of any streets, avenues, roads, parkways, or other highways situate within the territory of any such municipality now or hereafter under the control of any county board or commission, and providing for the payment of the cost of water pipes and storm-water and sanitary sewers, including proper house connections, laid down under the authority of this act," approved April 7, 1911.

(1911, ch. 149)

"An Act to amend an act entitled 'An act concerning the sale of municipal bonds,' approved April ninth, one thousand nine hundred and ten, and validating sales of bonds made thereunder," approved April 15, 1911.

(1911, ch. 158)

"A Supplement to an act entitled 'An act to authorize municipal corporations to contract for a supply of water for public uses,' approved March fifteenth, one thousand eight hundred and eighty-one," approved April 15, 1911.

(1911, ch. 166)

"An act to provide for the apportionment of assets and liabilities when a portion of any town, township or borough is annexed to any other town, township or borough," approved April 15, 1911.

(1911, ch. 178)

"An Act to authorize the governing body of any municipality in this State to improve any street or section of street, and to assess the cost of such improvements upon the lands fronting thereon and to issue improvement certificates in payment of the contract price for making such improvements, to be retired and paid off out of the assessments as collected," approved April 15, 1911.

(1911, ch. 204)

"An Act to authorize municipal corporations owning or controlling water works to make contracts with any municipal corporation to furnish water for public or private use," approved April 24, 1911.

(1911, ch. 239)

"An Act defining the dividing line where two or more municipalities are separated by any public roads, avenue or highway, and providing for maintaining, macadamizing and otherwise improving such a road, avenue or highway, and for constructing sewers therein," approved April 27, 1911.

(1911, ch. 286)

"An Act to provide for extinguishing the public right arising from dedication of streets in cities, towns and boroughs in certain cases," approved May 1, 1911.

(1911, ch. 325)

"An Act to authorize and empower any municipality to acquire or construct, to maintain and to operate plant or plants for the production and distribution (or either) of light, heat and power for its own public purposes and for the purpose of selling and supplying the same to its own inhabitants or to any other municipality (or both), and to acquire all necessary real estate and works and machinery for supplying light, heat and power for such purposes, and to purchase light, heat and power produced by any other municipality," approved May 1st, 1911.

(1911, ch. 338)

"An Act respecting the sewerage of streets and public highways in towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions and providing for the payment of the same, and further providing that the assessment upon property for special benefits shall be payable in full or in installments at the option of the property owner," approved May 1, 1911.

(1911, ch. 377)

"An Act to regulate the tenure and terms of office of the officers and patrolmen employed in the police department of any borough or third-class city in this State," approved June 14, 1911.

(1912, ch. 21)

"An Act authorizing municipalities of this State to appropriate moneys for the celebration of the one hundredth anniversary of the founding or incorporation of such municipalities," approved February 28, 1912.

(1912, ch. 145)

"An Act to amend an act entitled 'An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, approved April twenty-eighth, one thousand nine hundred and five,' approved April fifteenth, one thousand nine hundred and eight," approved March 25, 1912.

(1912, ch. 198)

"An Act authorizing the incorporated cities, towns, townships, boroughs and municipalities governed by improvement commissions in this State, to fund their floating indebtedness and their matured and maturing bonds," approved March 27, 1912.

(1912, ch. 200)

"An Act in relation to municipalities authorizing the making of contracts for the furnishing of police patrol service," approved March 27, 1912.

(1912, ch. 273)

"An Act to authorize any two or more municipalities in this State to jointly provide, maintain and operate a garbage disposal plant or incinerator or system of garbage disposal and to otherwise act jointly concerning the collection, removal, disposal and treatment of garbage and to make contracts in relation thereto," approved March 29, 1912.

(1912, ch. 333)

"An Act concerning the annexation of part of one town or township to another municipality and also the creation of new municipalities from such town or town-

ship or part thereof and relating to the tenure of office and salary of police officers in the territory so annexed or created," approved April 1, 1912.

(1913, ch. 24)

"An Act granting to cities, townships, incorporated towns, incorporated boroughs and incorporated villages the right to license and regulate public dance halls," approved February 25, 1913.

(1913, ch. 64)

"A Supplement to an act entitled 'An act to enable adjoining municipalities other than cities, lying in the same county, to consolidate and form a city,' approved April eleventh, one thousand nine hundred and eight, authorizing cities so formed to issue bonds to fund the floating, bonded and other indebtedness thereof and of any municipality superseded thereby and validating and confirming all proceedings heretofore taken by any such city for said purposes," approved March 12, 1913.

(1913, ch. 149)

"An Act concerning the annexation of part of one town or township to another municipality, and also the creation of new municipalities from such towns, townships or part thereof, and relating to the tenure of office and salary of uniform paid firemen in territory so annexed or created," approved March 27, 1913.

(1913, ch. 182)

"An Act to amend an act entitled 'An act prohibiting the discharge of sewage, excremental matter, domestic refuse and other polluting matter into fresh water,' approved April ninth, one thousand nine hundred and ten," approved April 1st, 1913.

(1913, ch. 306)

"An Act authorizing municipalities of this State to appropriate moneys for the celebration of the fiftieth anniversary of the founding or incorporation of such municipalities," approved April 9th, 1913.

(1913, ch. 328)

"An Act to provide for the completion of any drainage heretofore commenced under the provisions of an act entitled 'An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health,' approved March thirty-first, one thousand nine hundred and three, and the various supplements and amendments thereto, and to provide for the payment of the costs, damages and expenses of any drainage undertaken by the commissioners appointed under the provisions of said act, including any outstanding evidences of indebtedness heretofore issued by said commissioners," approved April 9, 1913.

(1914, ch. 170)

"An Act to authorize towns and villages to construct storm sewers and drains and to provide for the payment of the cost thereof," approved April 14, 1914.

(1914, ch. 215)

"An Act to authorize and empower any municipality governed by a board of commissioners or an improvement commission, by ordinance, to establish and maintain a full paid or part paid fire department; to fix and determine the compensation to be paid to and the term of office of the officers and members thereof; to disband any existing volunteer fire company, organization or department and provide for the issuing of certificates of exemption to the members thereof; to sell and dispose of any fire apparatus or equipment of such municipality; and to promulgate reasonable rules and regulations for the proper operation and management of such full paid or part paid fire department," approved April 15, 1914.

(1914, ch. 261)

"An Act to authorize cities or other municipalities of this State located on or near the ocean to build, rebuild and repair bulkheads, jetties and other works and structures to protect the beach or ocean front from encroachment by the sea and to provide for the payment of the cost thereof," approved April 17, 1914.

(1914, ch. 262)

"An Act to authorize cities and other municipalities having a public water supply derived from sources beyond the city limits to protect the same from pollution by providing for the payment of a portion of the expense of the construction of a system of sewers to any municipality through which said water flows, and providing also for the raising and expenditure of the money necessary for this purpose," approved April 17, 1914.

(1914, ch. 264)

"An Act to define the rights of fire engines and other fire vehicles upon the public streets and to provide for the punishment of any violation thereof," approved April 17, 1914.

(1915, ch. 33)

"A supplement to an act entitled 'An act relating to elections and appointments to office hereafter to be made by any board of aldermen, common council, township committee or other municipal board or body,' approved March thirty-first, eighteen hundred and eighty-five," approved March 3, 1915.

(1915, ch. 75)

"An Act to provide for the protection of improved streets in municipalities of this State, to authorize municipalities to require water, sewer and gas connections to be made before the improvement of any street, and empowering such municipality to make such water, sewer and gas connections and the cost thereof a lien upon lands," approved March 24, 1915.

(1915, ch. 240)

"An Act to enable cities or other municipalities bordering on and the boundaries of which are formed by any navigable water of this State other than the Atlantic Ocean, to build, maintain and keep in repair bulkheads and other works and structures to prevent destruction of private and public property by water, and encroachments of the same and to appropriate money to pay for such erections and structures and their maintenance and repair, and make assessment against private property

owners for the benefits thereof," approved April 8th, 1915.

(1915, ch. 249)

"An Act authorizing any municipality in this State to construct and maintain an artificial lake or lakes wholly within such municipality, or partly within such municipality and partly within other municipalities adjoining the same, and to provide for the acquiring, by lease, purchase or condemnation, the lands and the rights of flowage necessary for the same, and to provide for the issuance of bonds to raise money to pay for the same," approved April 8, 1915.

(1915, ch. 264)

"An Act authorizing any municipality in this State to contribute, appropriate and raise money for the purchase of property, either within or without said municipality for park purposes," approved April 8, 1915.

(1915, ch. 273)

"An Act concerning the making and collecting of assessments for benefits conferred by the construction of sewers or drains," approved April 13, 1915.

(1915, ch. 377)

"An Act to provide for the laying and construction of water mains and water pipe lines by municipalities, and for paying part or all of the cost thereof by assessment on the lands specially benefited," approved April 21, 1915.

(1915, ch. 386)

"An Act authorizing cities, towns, townships, boroughs, villages and improvement commissions in this State to fund their floating indebtedness and their matured and maturing bonds," approved April 21, 1915.

(1916, ch. 88)

"An Act authorizing the giving of notice by publication of any proposed improvement or acquisition of property by a municipality to person affected by such improvement or acquisition," approved March 16, 1916.

(1916, ch. 178)

"An Act authorizing the common council, commissioners or other governing body of any city or other municipality in this State to appropriate funds on account of or in full for the cost of a monument in honor of the veterans of the Civil War," approved March 17, 1916.

(1916, ch. 189)

"An Act to provide for fire protection and fire prevention in municipalities in this State, excepting cities," approved March 18, 1916.

(1916, ch. 202)

"An Act empowering the governing body of any municipality of this State to employ one or more nurses," approved March 18, 1916.

(1916, ch. 207)

"An Act authorizing two or more municipalities to enter into contract with one another for the joint construction, maintenance, operation and use of sewers and providing for the sharing of the cost of such construction, maintenance, operation and use," approved March 18, 1916.

(1916, ch. 275)

"An Act to authorize towns, townships, boroughs, and villages of this State to fix the rate of interest on bonds hereafter issued pursuant to the authority of any general or special law or laws of this State at not exceeding six per centum per annum," passed March 29, 1916.

Monuments, etc., 9—10 (1897—150)

"A Supplement to an act entitled 'An Act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war and authorizing appropriations for such purposes,' approved May ninth, one thousand eight hundred and eighty-nine," approved April 3, 1897.

Pending actions not affected.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any



municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds not transferred.

Funds devoted to purpose appropriated.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Contracts and leases valid.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Bond issues not invalidated.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Assessments and tax liens valid.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Sinking fund.

Acts not re-  
vived.

Proceedings  
continue as  
prescribed.

Acts repealed  
deemed ab-  
rogated.

Act effective.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceedings may continue as prescribed in the Act under which the same was undertaken and commenced.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed shall continue to be so repealed, and shall be deemed abrogated.

10. This act shall take effect February first, one thousand nine hundred and eighteen.

Approved March 29, 1917.

## CHAPTER 209.

An Act to repeal sundry acts relative to towns.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Sundry acts  
repealed.

1. From and after the time when this act shall take effect the following Acts and parts of Acts be repealed: (Comp. Stats., "Towns," Sections.)

20-24 (1903—521)

"An Act concerning the part of the territory of any municipality annexed to any incorporated town, and providing for the election of officers for such annexed territory as a part of the incorporated town to which it may be annexed," approved April 8, 1903.

25 (1906—73)

"An Act to authorize incorporated towns of this State to change the boundary lines of their wards," approved March 28, 1906.

29 (1910—256)

"An Act to fix the salary of the board of aldermen, common council or other governing body of certain towns in this State," approved April 8, 1910.

32 (1878—313)

"An Act to secure uniformity in the time of holding annual elections in the different wards of the towns of this State," approved April 5, 1878.

38 (1908—232)

"An Act relative to the salary of the mayor in towns in this State," approved April 10, 1908.

39-41 (1907—409)

"An Act to authorize the erection of town halls in towns of this State and the purchase of lands whereon to erect said buildings," approved May 13, 1907.

42 (1903—191)

"An Act to enable towns in this State to sell lands heretofore or hereafter acquired for municipal purposes, but which have proved unsuitable or are no longer needed for such purposes," approved April 7, 1903.

43 (1888—25)

"An Act authorizing towns to change the width of streets in certain cases," approved February 13, 1888.

44-46 (1889—377)

"An Act authorizing incorporated towns to provide for changing the width and boundaries of streets and avenues," approved May 7th, 1889.

47 (1894—181)

"An Act providing for the changing of the name of any avenue, street or highway in any township or borough of this State, approved May 1st, 1894.

50-51 (1899—361)

"An Act authorizing towns in this State to fix and establish the grades of streets, avenues and public highways therein," approved March 24, 1899.

52 (1908—206)

"An Act relating to the opening, grading, paving, improving and repairing of avenues, streets, alleys and thoroughfares in towns, and the amount of money to be expended therefor in any year," approved April 9, 1908.

53-68 (1886—243)

"An Act providing for sewerage in and from certain towns in this State," approved April 20, 1886.

57-58 (1893—40)

"An Act to amend an Act entitled 'An Act providing for sewerage in and from certain towns in this State,' approved April twentieth, one thousand eight hundred and eighty-six," approved February 28, 1893.

66 (1888—109)

"A Supplement to an Act entitled 'An Act providing for sewerage in and from certain towns in this State,' approved April twentieth, one thousand eight hundred and eighty-six," approved February 29, 1888.

69 (1890—305)

"An Act to amend an Act entitled 'An Act providing for sewerage in and from certain towns in this State,' approved April twentieth, one thousand eight hundred and eighty-six," approved May 12, 1890.

70-73 (1892—183)

"A Supplement to an Act entitled 'An Act providing for the sewerage in and from certain towns in this State,' approved April twentieth, one thousand eight hundred and eighty-six," approved March 23, 1892.

74-81, 84-85, 87-92 (1887—185)

"An Act providing for sewerage in and by adjoining cities, towns and townships," approved April 21, 1887.

77, 81, 91 (1888—78)

"A Supplement to an Act entitled 'An Act providing for sewerage in and by adjoining cities, towns and townships,' approved April twenty-first, one thousand eight hundred and eighty-seven," approved February 21, 1888.

77, 78, 79, 84, 85, 91, 92, 93, 94, 95, 96, 86 (1889—177)

"A Further Supplement to an Act entitled 'An Act providing for sewerage in and by adjoining cities, towns and townships,' approved April twenty-first, one thousand eight hundred and eighty-seven," approved April 4, 1889.

81, 82, 83 (1892—159)

"A Supplement to an Act entitled 'An Act providing for sewerage in and by adjoining cities, towns and townships,' approved April twenty-first, one thousand eight hundred and eighty-seven," approved March 22, 1892.

97 (1888—186)

"An Act authorizing towns and townships in certain cases to construct sewers in, over or across the streets of adjoining municipalities," approved March 21, 1888.

98-105 (1888—428)

"An Act to authorize incorporated towns to construct sewers and drains, and to provide for the payment of the cost thereof," approved April 17th, 1888.

106-112 (1889—316)

"An Act to authorize incorporated towns to construct sewers and drains, and to provide for the payment of the cost thereof," approved April 19, 1889.

113-115 (1895—185)

"A Supplement to the Act entitled 'An Act respecting sewerage and drainage,' approved March twentieth, one thousand eight hundred and eighty, and to provide for the payment of the cost of sewers heretofore constructed, without authority of law, in or by and for towns and townships," approved March 6, 1895.

116-117 (1897—246)

"An Act concerning the qualification of commissioners authorized to assess benefits conferred by the construction of sewers and drains and to provide for majority reports of such commissioners in certain cases in the incorporated towns of this State," approved April 22, 1897.

118-122 (1900-403)

"An Act to authorize any town in this State to acquire an interest in or the right to use any outlet sewer within its limits and providing for the payment of the costs of acquiring such interest or right, and for the issue of bonds to raise moneys required to make such payment," approved March 23, 1900.

167-170 (1902-783)

"An Act providing for the enlargement of sewers and for the building of additional or relieving sewers in towns in this State," approved April 22, 1902.

171-174 (1905-44)

"An Act respecting sewers and sewer connections in incorporated towns of this State," approved March 10, 1905.

175-181 (1909-94)

"An Act respecting sewers and sewer connections in towns of this State, and to provide for the payment of the cost of construction thereof," approved April 8, 1909.

182-186 (1877-198)

"An Act to enable towns and townships in this State to obtain a supply of water from existing city water works," approved March 9th, 1877 (Revision of 1877, p. 1206).

187-190 (1879-223)

"An Act to enable incorporated towns in this State to obtain a supply of water from existing city water works," approved March 14, 1879.

228-248 (1893-145)

"An Act to enable towns and townships in this State to construct water works for the extinguishment of fires and supplying the inhabitants thereof with pure and wholesome water," approved March 9th, 1893.

249-252 (1899-226)

"An Act respecting towns and providing for the purchase of water works or a plant for the supplying of pure and wholesome water to the inhabitants of such

town for public and domestic uses and the extension of such water works or plant, and providing for the issue of bonds to pay for such purchase or extension," approved March 22, 1899.

252 (1906—417)

"An Act to amend an Act entitled 'An Act respecting towns and providing for the purchase of water works or a plant for the supplying of pure and wholesome water to the inhabitants of such town for public and domestic uses and the extension of such water works or plant, and providing for the issue of bonds to pay for such purchase or extension,' approved March twenty-second, one thousand eight hundred and ninety-nine," approved May 7th, 1906.

252 (1908—228)

"An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act respecting towns and providing for the purchase of water works or a plant for the supply of pure and wholesome water to the inhabitants of such town for public and domestic uses and the extension of such water works or plant and providing for the issue of bonds to pay for such purchase or extension," approved March twenty-second, one thousand eight hundred and ninety-nine,' which amendatory Act was approved May seventh, one thousand nine hundred and six," approved April 10, 1908.

253-254 (1894—420)

"An Act to empower the town and township committees in counties of the third and second class to enter into a contract for public lighting for a term of years," approved May 17th, 1894.

255 (1899—369)

"An Act authorizing the payment and collection of assessments for special benefits for public improvements, in installments, in towns of this State," approved March 24, 1899.

257 (1905—135)

"An Act respecting soldiers' monuments," approved March 30th, 1905.

260 (1910—341)

"An Act authorizing incorporated towns of this State to appropriate moneys for the celebration of the fiftieth anniversary of the founding or incorporation of such towns," approved April 9th, 1910.

261-263 (1885—77)

"An Act to authorize the issue of bonds for the erection or rebuilding of public buildings destroyed by fire and purchase of fire apparatus," passed March 10, 1885.

264-265 (1888—460)

"An Act authorizing towns and townships which have heretofore voted an appropriation for public buildings to raise the amount of such appropriation by the issue and sale of the bonds of such town or township," approved April 23, 1888.

266-267 (1897—227)

"An Act authorizing towns to renew matured and maturing bonds," approved April 16, 1897.

266 (1900—13)

"An Act to amend section one of chapter one hundred and twenty-five of the laws of one thousand eight hundred and ninety-seven, entitled 'An Act authorizing towns to renew matured and maturing bonds,' approved April sixteenth, one thousand eight hundred and ninety-seven," approved February 21, 1900.

268-271 (1898—63)

"An Act authorizing towns to issue bonds for the purpose of raising money to pay certain bonds and improvement certificates and interest thereon and judgments recovered thereon heretofore legally issued and now due," approved March 9th, 1898.

273-274 (1882—80)

"An Act to enlarge the powers of the boards of commissioners of certain of the towns of this State," approved March 9th, 1882.

275 (1888—83)

"An Act to increase the powers of boards of commissioners," approved February 21, 1888.



275 (1889—382)

"An Act to amend an Act entitled 'An Act to increase the powers of boards of commissioners,' approved February twenty-first, one thousand eight hundred and eighty-eight," approved May 7th, 1889.

275 (1906—59)

"An Act to amend an act entitled 'An act to amend an act entitled "An act to increase the powers of boards of commissioners," approved February twenty-first, one thousand eight hundred and eighty-eight,' which amendment was approved May seventh, one thousand eight hundred and eighty-nine," approved March 27th, 1906.

276 (1888—181)

"An Act regulating appeals from special assessments in towns governed by a board of commissioners where an appeal has been heretofore given to three chosen freeholders," approved March 21st, 1888.

307-308 (1894—235)

"Sections 5 and 6 of "A Supplement to an act entitled 'An act enlarging and extending the powers of incorporated towns in this State, governed by boards of commissioners, and of certain officers thereof,' approved April sixteenth, one thousand eight hundred and ninety-one," approved May 8, 1894.

369 (1905—341)

"Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 20, 1905.

370-371 (1908—41)

"Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five, and providing for the licensing and regulating of junkmen, ragpickers and distributors of advertisements and circulars," approved March 25, 1908.

373-376, 379-381, 384-386, 402-405, 420-424, 430-431, 440-441 (1895-218)

Sections 48, 49, 50, 51, 53, 54, 55, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72 and 73 of "An Act providing for the formation, establishment and government of towns," approved March 7th, 1895.

378 (1903-70)

"Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 13th, 1903.

386, 402 (1910-286)

"An Act to amend an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 9th, 1910.

387-391 (1896-363)

"A Further Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved May 12th, 1896.

392 (1906-533)

"A Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved May 17th, 1906.

393 (1907-47)

"A Further Supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,' approved March seventh, eighteen hundred and ninety-five," approved April 1st, 1907.

397 (1909-295)

"A Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 20th, 1909.

398-401 (1910-326)

"Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 9th, 1910.

405 (1906-325)

"An Act to amend an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved May 2, 1906.

405 (1910-350)

"An Act to amend an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 9th, 1910.

406-408 (1897-144)

"A Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 21st, 1897.

406, 407, 408 (1901-70)

"An Act to amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven," approved March 13th, 1901.

406, 407 (1904-263)

"An Act to amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven," approved March 28th, 1904.

406 (1906-34)

"An Act to further amend an act entitled 'A supplement to an act entitled "An act providing for the for-

mation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five," which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven," approved March 20th, 1906.

409-411 (1898-471)

(433 and 410 are identical.)

"A Further Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved June 13th, 1898.

412-415 (1908-98)

"A Further Supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 2, 1908.

416-419 (1909-56)

"A Further Supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 1, 1909.

425-426 (1904-59)

Sections 1 and 2 of "A Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 16, 1904.

425 (1908-159)

"An act to amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' which supplement was approved March sixteenth, one thousand nine hundred and four," approved April 7th, 1908.

432, 442 (1898-358)

"A Further Supplement to an act entitled 'An act providing for the formation, establishment and gov-

ernment of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 8th, 1898.

439 (1903—392)

"A Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 8th, 1903.

(1911, ch. 55)

"An act to enable certain towns to regulate the salaries of certain officers," approved March 23, 1911.

(1911, ch. 142)

"Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' (Chapter 113, Laws of 1895)," approved April 12, 1911.

(1911, ch. 153)

"An Act to authorize any incorporated town of this State to purchase fire engines, or other fire apparatus, equipment and appliances for protection against fire, and to provide a method for raising money for the payment thereof," approved April 15, 1911.

(1911, ch. 250)

"An Act to authorize the erection, enlargement and equipment of engine-houses and buildings for the protection of fire apparatus and for other municipal purposes, including police station-houses, crematories for garbage, ashes and refuse and poor-houses and buildings for the care of the sick poor in towns of this State and the purchase of lands whereon to erect said buildings; also the issuing of bonds to provide moneys for the purposes of this act," approved April 27, 1911.

(1911, ch. 311)

"An Act to empower towns to acquire land and other property for water supply by condemnation," approved May 1st, 1911.

(1912, ch. 63)

"An Act to empower towns having plants for the treatment, disposal or rendering of sewage to recon-

struct and enlarge such plants, and to issue bonds to pay the cost thereof," approved March 13th, 1912.

(1912, ch. 77)

"A Supplement to an act entitled 'An act to authorize incorporated towns to construct, operate and maintain a system of sewers, or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof,' approved April third, one thousand nine hundred and two," approved March 13th, 1912.

(1912, ch. 161)

"A Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 26, 1912.

(1912, ch. 164)

"An Act to enable towns to regulate the salaries of certain officers," approved March 26, 1912.

(1912, ch. 166)

"An Act to enable towns having a population of twenty thousand or more to annually fix the salary of the chief of the fire department," approved March 26, 1912.

(1912, ch. 167)

"An Act to enable towns having a population of twenty thousand or more to annually fix the salary of the recorder or police justice," approved March 26, 1912.

(1912, ch. 168)

"An Act to enable towns having a population of twenty thousand or more to annually fix the salary of the overseer of the poor," approved March 26, 1912.

(1912, ch. 220)

"An Act to amend an Act entitled 'An Act to authorize any incorporated town in this State to purchase fire engines, or other fire apparatus, equipment and appliances for protection against fire, and to provide a method for raising money for the payment thereof,' approved

April fifteenth, nineteen hundred and eleven," approved March 28, 1912.

(1913, ch. 45)

"An Act relating to the opening of streets or avenues not exceeding two hundred and fifty feet in length, and the costs and expenses of such opening, in all towns of this State having a population of less than fifteen thousand," approved February 27, 1913.

(1913, ch. 160)

"An Act to amend an Act entitled 'An Act to authorize incorporated towns to construct, operate and maintain a system of sewers, or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof,' approved April third, one thousand nine hundred and two," approved March 31, 1913.

(1913, ch. 197)

"A Supplement to an act entitled 'An Act to authorize incorporated towns to construct, operate and maintain a system of sewers or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof,' approved April third, one thousand nine hundred and two," approved April 1, 1913.

(1913, ch. 258)

"An Act respecting paid fire departments, and paid members of partly paid fire departments of towns and regulating the tenure and terms of office of such men employed in said departments," approved April 3, 1913.

(1913, ch. 295)

"An Act to enable towns having a population of thirty-five thousand or more to annually fix the salary of the recorder or police justice," approved April 9th, 1913.

(1914, ch. 56)

"An Act concerning the collection, removal and disposal of ashes, garbage and rubbish in incorporated towns of this State," approved March 25, 1914.

(1914, ch. 220)

"An Act to amend an Act entitled 'A supplement to an Act entitled "An Act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' which supplement was approved March sixteenth, one thousand nine hundred and four," approved April 17, 1914.

(1914, ch. 225)

"A Supplement to an Act entitled 'An Act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved April 17, 1914.

(1914, ch. 233)

"A Supplement to an Act entitled 'An Act respecting towns and providing for the purchase of waterworks or a plant for the supplying of pure and wholesome water to the inhabitants of such town for public and domestic uses and the extension of such waterworks or plant, and providing for the issue of bonds to pay for such purchase or extension,' approved March twenty-second, one thousand eight hundred and ninety-nine," approved April 17, 1914.

(1915, ch. 133)

"An Act to amend an Act entitled 'An Act to authorize incorporated towns to construct, operate and maintain a system of sewers, or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof,' approved April third, one thousand nine hundred and two," approved March 31, 1915.

(1916, ch. 156)

"A Supplement to an Act entitled 'An Act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 17, 1916.

(1916, ch. 174)

"A Supplement to an Act entitled 'An Act providing for the formation, establishment and government of



towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 17, 1916.

(1916, ch. 235)

"An Act to authorize towns to lay out, open, vacate, straighten, extend, widen or otherwise change as to boundaries, and improve streets, avenues and highways or sections of same therein, to authorize the taking of lands therefor and to provide for the costs thereof," approved March 21, 1916.

(1916, ch. 264)

"A Supplement to an Act entitled 'An Act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," approved March 24, 1916.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Pending actions not affected.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds not transferred but devoted to purpose appropriated.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Contracts and leases valid.

Bond issues  
not invali-  
dated.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Assessments  
and tax liens  
valid.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Sinking fund.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not re-  
vived.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceedings may continue as prescribed in the Act under which the same was undertaken and commenced.

Proceedings  
continue as  
prescribed.

Acts repealed  
deemed ab-  
rogated.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, one thousand nine hundred and eighteen.

Approved March 29, 1917.

## CHAPTER 210.

An Act to repeal sundry acts relative to townships.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. From and after the time when this act shall take effect the following acts and parts of acts be repealed: (Comp. Stats., "Townships," Sections.) Sundry acts repealed.

33, 36, 37, etc. (1899—372)

Sections 33, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 60, 61, 62, 63, 64, 65, 66, 67, 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 83, 84, 85, 86, and 91 of "An Act concerning townships (Revision of one thousand eight hundred and ninety-nine)," approved March 24, 1899.

32a, 32b, 32c, 32d, 32e (1902—683)

"A Further Supplement to an act entitled 'An act concerning townships (Revision of 1899),' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 9, 1902.

32a (1906—273)

"An Act to amend an act entitled "A further supplement to an act entitled 'An act concerning townships (Revision of 1899),' approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April ninth, one thousand nine hundred and two," approved April 21, 1906.

32a (1909—120)

"An Act to further amend an act entitled 'An act to amend an act entitled 'A further supplement to an act entitled "An act concerning townships" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine, approved April ninth, one thousand nine hundred and two,' which amendment was approved April twenty-first, one thousand nine hundred and six," approved April 13, 1909.

32f, 32g (1904—305)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 29, 1904.

32h, 32i (1906—335)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved May 2, 1906.

33a (1900—324)

"Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 23, 1900.

41, 42, 47 (1901—282)

"An Act to amend an act entitled 'An act concerning townships' (Revision of one thousand eight hundred and ninety-nine), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 22, 1901.

64a, 64b (1900—61)

"Supplement to an act entitled 'An act concerning townships (Revision of one thousand eight hundred and nine),' approved March twenty-fourth, eighteen hundred and ninety-nine," approved March 15, 1900.

64c, 64d (1901—101)

"A Supplement to the act entitled 'An act concerning townships' (Revision of one thousand eight hundred and ninety-nine), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 19, 1901.

64e, 64f (1905—261)

"A Further Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 12, 1905.

84 (1902—800)

"An Act to amend an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 24, 1902.

84 (1905—242)

"An Act to amend an act entitled 'An act concerning townships' (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 12, 1905.

104-123 (1902—466)

"An Act to authorize townships to construct and maintain sewers and to provide for the payment of the cost thereof," approved April 3, 1902.

133-142 (1907—574)

"An Act to authorize townships to purchase and acquire sewers and to provide for the payment of the expense incurred," approved June 11, 1907.

172 (1910—308)

"An Act concerning streets and highways in townships," approved April 9, 1910.

(1911, ch. 270)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 27, 1911.

(1912, ch. 98)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 20, 1912.

(1912, ch. 212)

"An Act to amend an act entitled 'An act to authorize the improvement of public roads or streets in townships of this State,' approved March twenty-second, nineteen hundred and one," approved March 28, 1912.

(1913, ch. 71)

"Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, eighteen hundred and ninety-nine," approved March 12, 1913.

(1913, ch. 199)

"A Supplement to an act entitled 'An act concerning streets and highways in townships,' approved April ninth, nineteen hundred and ten," approved April 1, 1913.

(1914, ch. 18)

"A Supplement to an act entitled 'An act concerning townships' (Revision), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 13, 1914.

(1914, ch. 66)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 26, 1914.

(1914, ch. 99)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 1, 1914.

(1914, ch. 166)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved April 14, 1914.

(1915, ch. 105)

"A Supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine," approved March 30, 1915.

(1916, ch. 60)

"An Act to amend an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-

fourth, one thousand eight hundred and ninety-nine," approved March 15, 1916.

(1916, ch. 159)

"An Act to amend the title and body of an act entitled 'An act to authorize townships to construct and maintain sewers and to provide for the payment of the cost thereof,' approved April third, nineteen hundred and two," approved March 17, 1916.

(1916, ch. 166)

"An Amendment to a supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine, approved April second, one thousand nine hundred and eight," approved March 17, 1916.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Pending actions not affected.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Funds not transferred but devoted to purpose appropriated.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Contracts and leases valid.

Bond issues  
not invali-  
dated.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Assessments  
and tax liens  
valid.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Sinking fund.

7. \*Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bonds or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

Acts not re-  
vived.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceeding may continue as prescribed in the Act under which the same was undertaken and commenced.

Proceedings  
continue as  
prescribed.

Acts repealed  
deemed ab-  
rogated.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Act effective.

10. This act shall take effect February first, one thousand nine hundred and eighteen.

Approved March 29, 1917.



## CHAPTER 211.

An Act to repeal sundry acts relative to villages.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. From and after the time when this Act shall take effect the following Acts and parts of Acts be repealed: (Comp. Stats., "Villages," Sections.) Sundry acts repealed.

36a, 36b, 36c, 36d, 36e, 36f, 36g, 36h, 36i (1907—581)

"A Supplement to an Act entitled 'An Act for the formation and government of villages,' approved February twenty-third, one thousand eight hundred and ninety-one," approved June 12, 1907.

36j (1909—26)

"An Act to amend an Act entitled 'A supplement to an Act, entitled "An Act for the formation and government of villages," approved February twenty-third, one thousand eight hundred and ninety-one,' approved April sixth, one thousand nine hundred and eight," approved March 16, 1909.

36j, 36k, 36l, 36m, 36n, 36o, 36p, 36q, 36r, 36s, 36t, 36u, 36v, 36w, 36x (1908—146)

"A Supplement to an Act entitled 'An Act for the formation and government of villages,' approved February twenty-third, one thousand eight hundred and ninety-one," approved April 6, 1908.

37, 38, 43, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 57, 58, 59, 61, 62, 63, 64 and 65 (1891—33)

"An Act for the formation and government of villages," approved February 23, 1891.

58a, 58b (1907—631)

"A Further Supplement to an Act entitled 'An Act for the formation of government of villages,' approved February twenty-third, one thousand eight hundred and ninety-one," approved June 17, 1907.

61 (1899—163)

"An Act to amend an Act entitled 'An Act for the formation and government of villages,' approved February twenty-third, one thousand eight hundred and ninety-one," approved March 21, 1899.

65 (1905—512)

"Supplement to an Act entitled 'An Act for the formation and government of villages' (Revision), approved February twenty-third, one thousand eight hundred and ninety-one," approved June 3, 1905.

69-77 (1894—214)

"A Further Supplement to an Act entitled 'An Act for the formation and government of villages,' approved February twenty-third, one thousand eight hundred and ninety-two," approved May 8, 1894.

100 (1901—362)

"An act concerning elections in certain villages," approved March 22, 1901.

110 (1890—29)

Section 1 of "An Act to increase the powers of trustees or other governing authorities of villages," approved March 4, 1890.

112-115 (1890—36)

"An Act to authorize the governing authorities of any village to enforce their ordinances respecting the laying or repairing of sidewalks, and to collect assessments for the costs and expenses thereof," approved March 5, 1890.

123-135 (1891—122)

"An Act to provide for drainage and sewage in densely populated villages in which there is a public water supply," approved March 10, 1891.

126 (1895—818)

"A Supplement to an act entitled 'An Act to provide for drainage and sewage in densely populated villages in which there is a public water supply,' approved March tenth, one thousand eight hundred and ninety-one," passed June 13, 1895.

126, 131, 137, 138 and 139 (1897—130)

"A Supplement to an act entitled 'An Act to provide for drainage and sewerage in densely populated villages in which there is a public water supply,' approved March tenth, one thousand eight hundred and ninety-one," passed March 31, 1897.

136 (1892—177)

"A Supplement to an act entitled 'An Act to provide for drainage and sewerage in densely populated villages in which there is a public water supply,' approved March tenth, one thousand eight hundred and ninety-one," approved March 23, 1892.

141-144 (1893—86)

"An Act to enable villages in this State to acquire lands and erect buildings for municipal uses and purposes," approved March 1, 1893.

145 (1895—823)

"An Act to regulate the use of lands which may have been acquired or which may hereafter be acquired for the purpose of erecting or constructing any sewage receptacles or marks or place for treating or disposing of sewage or house waste beyond their own territorial limits by densely populated villages in this State in which there is a water supply without the consent of the governing body of the township or other municipality in which such lands are situated," passed June 13, 1895.

146-147 (1899—252)

"An Act authorizing villages in this State to renew matured and maturing bonds," approved March 23, 1899.

148-150 (1903—193)

"An Act respecting the paving or repaving of streets, avenues, highways and gutters and the curbing of the same in the villages of this State, and providing for the payment of assessments for special benefits to property benefited thereby," approved April 7, 1903.

151-152 (1908—102)

"An Act to authorize and empower the Board of Trustees of any village in this State by ordinance to

regulate and control the erection and construction of buildings therein, and to provide for the enforcement of such ordinance," approved April 2, 1908.

153-164 (1908-65)

"An Act to enable villages to construct or purchase suitable plants, works, and machinery for supplying gas or electric lights for public and private use and for the maintenance and operation thereof," approved April 1, 1908.

165-168 (1909-411)

"An Act in relation to street improvements in villages," approved April 21, 1909.

169-170 (1910-306)

"An Act relating to the laying out, opening, extending and accepting streets and highways in villages," approved April 9, 1910.

(1911, ch. 29)

"A Supplement to an Act entitled 'An Act concerning police in municipalities,' approved May fourteenth, one thousand nine hundred and seven," approved March 15, 1911.

(1912, ch. 4.)

"An Act to enable villages to construct, purchase or acquire water works and a plant for the supply of water for domestic and public use, and to operate and maintain the same," approved February 20, 1912.

(1912, ch. 207)

"An Act respecting the laying out, opening, grading or regrading, paving or repaving of the streets, avenues or other public highways; the paving or repaving, the curbing or recurbing of the gutters or the resetting of existing curbs; the flagging or reflagging, or relaying existing flags or the construction or reconstruction of concrete and cement sidewalks or the grading or regrading of the said sidewalks in the villages of this State and providing for the payment of assessments for special benefits to property benefited thereby," approved March 28, 1912.

(1913, ch. 31)

"An Act respecting the maintenance of public parks in villages of this State," approved February 26, 1913.

(1913, ch. 49)

"An Act to enable villages in this State to acquire lands and to erect buildings thereon for municipal uses and purposes, and to alter, improve and enlarge buildings heretofore erected for municipal uses and purposes in villages, and to issue bonds to pay the cost thereof," approved February 27, 1913.

(1913, ch. 264)

"An Act providing for the establishment, maintenance, regulation and control of fire departments in villages," approved April 3, 1913.

(1914, ch. 53)

"A Supplement to an Act entitled 'An Act providing for the establishment, maintenance, regulation and control of fire departments in villages,' approved April third, one thousand nine hundred and thirteen," approved March 25, 1914.

(1915, ch. 30)

"A Supplement to an Act entitled 'An Act to enable villages to construct, purchase or acquire water works and a plant for the supply of water for domestic and public use, and to operate and maintain the same,' approved February twentieth, one thousand nine hundred and twelve," approved March 3, 1915.

(1915, ch. 89)

"A Supplement to an Act entitled 'An Act to enable villages to construct, purchase or acquire water works and a plant for the supply of water for domestic and public use, and to operate and maintain the same,' approved February twentieth, one thousand nine hundred and twelve," approved March 24, 1915.

2. Nothing in this Act contained shall affect any action, suit or proceeding instituted, pending and undetermined, or any matter undertaken by or on behalf of any

Pending actions not affected.

municipality, and which was commenced before this Act shall take effect. All such actions, suits, proceedings and matters commenced, instituted or undertaken before this Act shall take effect, shall be valid, binding and effectual, and shall be completed and brought to a conclusion in accordance with the laws of this State effective before this Act shall take effect.

Funds not transferred but devoted to purpose appropriated.

3. Nothing in this Act contained shall have the effect of transferring from any governing body of any municipality any funds which are in its possession or under its control and devoted to any particular use; but all such funds in the possession or under the control of any board or department of any municipality shall be devoted to the use or purpose to which the said funds were appropriated, or for which they were obtained.

Contracts and leases valid.

4. Nothing in this Act contained shall affect or invalidate any contract, lease or agreement made under or in pursuance of any of the Acts repealed by this Act where any steps or proceedings in regard to such contract, lease or agreement have been taken before this Act shall take effect, or where such contract, lease or agreement was entered into before this Act shall take effect.

Bond issues not invalidated.

5. Nothing in this Act contained shall invalidate any bond issue of any municipality, department or board thereof; all bonds issued by or on behalf of any municipality, department or board thereof, shall be valid obligations of such municipality, provided the proceeds of such bonds were received by such municipality, department or board.

Assessments and tax liens valid.

6. Nothing in this Act contained shall invalidate or affect any assessment, tax or municipal lien, or any sale in connection therewith.

Sinking fund.

7. Nothing in this Act contained shall affect any sinking fund, or relieve any municipality, board or body from creating or maintaining any sinking fund, or fund or provision for the payment of any bond or obligations of any municipality, board or body, where such fund or such provisions were to have been created or maintained to meet outstanding bonds or obligations, or bonds or obligations about to be issued.

8. This Act shall not revive any act heretofore repealed; nor shall any proceedings for any improvement, for any bond issue, or for any other purpose, undertaken and commenced before the passage of this Act, abate; but such proceeding may continue as prescribed in the Act under which the same was undertaken and commenced.

Acts not revived.

Proceedings continue as prescribed.

9. All statutes and parts of statutes which were repealed or abrogated by, or were repugnant to, any law hereby repealed, shall continue to be so repealed, and shall be deemed abrogated.

Acts repealed deemed abrogated.

10. This act shall take effect February first, one thousand nine hundred and eighteen.

Act effective.

Approved March 29, 1917.

## CHAPTER 212.

An Act concerning sinking funds and sinking fund commissions.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

### ARTICLE I.

1. For the purposes of this act, such bonds as are payable in installments in successive years during at least three-quarters of the period covered by the term of the whole issue, shall be known as "Serial Bonds." All other bonds shall be known as "Term Bonds." The term "governing body" as used in this act shall mean the board or body having charge and control of the finances of the municipality, county or school district.

Definitions.

### ARTICLE II.

Sinking fund commissions in municipalities, counties and school districts, their organization, duties and powers.

Duties of sinking fund.

Sinking fund commissions created in municipalities, counties, and school districts.

How composed:

Executive officer;

Proviso.

Term.

Comptroller or treasurer, etc.;

Three citizens.

Qualifications.

Appointment.

2. There is hereby created in each municipality, in each county, and in each school district located wholly within a municipality wherein there does not now exist or should exist under this act a sinking fund commission, and in each school district which covers territory lying within two or more municipalities, which has heretofore issued term bonds not yet fully retired or which shall hereafter issue term bonds, a sinking fund commission, which shall consist of:

(a) The executive officer of the municipality or county, or the mayor of municipalities governed by a commission, or the president of the Board of Education, ex officio; *provided, however*, if the executive officer, mayor or president does not desire to serve, he may appoint in his place a member of the governing body, or an official of the municipality or county, as the case may be; the term for such appointee in the sinking fund commission shall be coexistent with the term of the executive officer, mayor or president or his term as a member of the governing body or official of the government, except that it shall terminate upon his ceasing to be a member of the governing body or to hold said municipal or county office.

(b) The comptroller, or in municipalities which have no comptroller, the treasurer, or in municipalities governed by a commission, the director of the department of revenue and finance, or in counties, the county collector and in school districts the custodian of school moneys, ex officio.

(c) In addition three citizens of the municipality, or county or school district, as the case may be, resident taxpayers on real estate, to be chosen with reference to their qualifications for the conduct and management of financial affairs, who shall not hold any other office in such municipality, or county, or school district, as the case may be, during their term as members of such commission, who shall be appointed by the executive officer, mayor or president of the municipality, county or school district by and with the consent of the governing body, or by the commission of a municipality governed by a commission, as the case may be, one for



a term of one year, one for a term of two years, and one for a term of three years, and thereafter each citizen member of such commission shall be appointed for a term of three years; when a vacancy shall occur in the resident taxpayer membership of the commission, it shall be filled for the unexpired term in the same manner as the original appointment was made.

*Provided, however,* that in municipalities, counties or school districts whose sinking fund amounts to less than fifty thousand dollars, it shall not be necessary for the sinking fund commission to be composed of more than three members, as the governing body thereof shall decide, but if the sinking fund commission shall in any case be limited to three members, then the same shall be composed of:

(a) The comptroller, or in municipalities which have no comptroller, the treasurer, or in municipalities governed by a commission, the director of the department of revenue and finance, or in counties the county collector, or in school districts the custodian of school moneys, ex officio, and,

(b) Two citizens of the municipality, county or school district, as the case may be, resident taxpayers on real estate, to be chosen with reference to their qualifications for the conduct and management of financial affairs, who shall not hold any other office in such municipality, county or school district, as the case may be, during their terms as members of such commission, who shall be appointed by the executive officer, mayor, or president of the municipality, county or school district by and with the consent of the governing body, or by the commission of a municipality governed by a commission, one for a term of one year and one for a term of two years, and thereafter each citizen member of such commission shall be appointed for a term of two years. When a vacancy shall occur in the citizen membership of the commission, it shall be filled for the unexpired term in the same manner as the original appointment was made. If at any time by reason of the increase of the amount of the sinking fund to fifty thousand dollars or more, or if the governing body shall

Terms.

Vacancies.

Proviso.

When fund  
under \$50,000.Commission  
how composed.Comptroller  
or treasurer,  
etc.

Two citizens.

Qualifications.

Appointment.

Terms.

Vacancy.

Increase in  
amount or  
commission.

decide to increase the number of the members of the sinking fund commission to five members, then the commission shall be constituted as hereinbefore provided, and in either such case the additional citizen member shall be appointed for such term as will make the term of one citizen member of the sinking fund commission expire each year, the appointments thereafter to be for three years.

To supersede  
all commis-  
sions.

3. The organization of the sinking fund commission, as herein provided, shall be universally applicable and shall supersede all other sinking fund commissions whatsoever. Said members of the sinking fund commission shall, together, constitute and be denominated "The Sinking Fund Commission of the . . . . ."

Corporate  
name.

(giving corporate name of municipality, county or school district, as the case may be); such sinking fund

Body corpo-  
rate.

commission shall be a body, corporate by the name aforesaid, with power and liability to sue and be sued

Date of ap-  
pointment.

in such corporate name in any court of competent juris-

Meeting.

diction. The persons appointed on the sinking fund

Organization.

commission, as herein provided, shall be deemed to have

Disbursements,  
how made.

been appointed on January first, one thousand nine hun-

dred and seventeen, and the members of said sinking

fund commission shall meet within ten days after their

appointment, and annually thereafter, during the first

week in January, to organize the sinking fund commis-

sion as herein provided. They shall elect a president, a

secretary and a treasurer. One person may hold the

office of secretary and of treasurer. All disbursements,

investments, sale or transfer of securities shall be by

resolution of the sinking fund commission. When

funds are disbursed same shall be by check signed by

the president and treasurer of such commission.

As to fore-  
closures.

4. Where the funds in the custody of any sinking

fund commission to be superseded and terminated, as

provided in this act, are invested in mortgages upon

real estate, said sinking fund commission herein pro-

vided for shall have the right to prosecute, in its own

name, foreclosure proceedings for the foreclosure of

said mortgages, and where necessary for the preserva-

tion of the fund invested, purchase at foreclosure sale

Sale.

the real estate foreclosed upon. All such real estate

shall be sold as speedily as reasonably may be; where foreclosure proceedings for the foreclosure of any such mortgage or mortgages shall have been begun by any existing sinking fund commission, at the time this act shall take effect, the same shall not be abated by reason of the passage and taking effect of this act, but the sinking fund commission hereby created shall have the right and power to continue said suits or proceedings to conclusion in the name of the heretofore existing sinking fund commission. Upon the creation of the sinking fund commission, as provided by this act, any existing sinking fund commission shall account to the new commission and assign and deliver to the new commission all funds, property, securities, moneys, books, papers, records and documents whatsoever, and the existence of the former sinking fund commission shall be thereupon and thereby terminated.

Proceedings continued by new commission.

Accounting by existing commission to new.

5. In every case where there shall be no sinking fund commission existing at the time of the creation of a sinking fund commission, as provided in this act, or if there be a sinking fund commission in existence which shall be unable to comply with the requirements imposed by this act upon it, then it shall be the duty of the board of education or custodian of school moneys or the governing body, or official, or employee of the municipality or county, as the case may be, to do and perform all acts hereby imposed upon existing sinking fund commissions, with reference to accounting and assigning to the new commission, so far as shall lie within the power of said board of education or custodian of school moneys or governing body, or official or employee of the municipality or county, under the circumstances in such case, to do so.

If no commission; or existing one unable to comply with this act.

6. The members of the sinking fund commission shall receive no compensation, and shall give bond, with corporate security, to the municipality, county or school district, as the case may be, for the faithful performance of their duties, in such sum as shall from time to time be fixed by the governing body of the municipality, county or school district. When authorized by the governing body the sinking fund commission may

No compensation.  
Bond.

Secretary and assistants.

Paying pre-  
miums, etc.,  
from general  
fund.

Sole custody  
of funds, etc.

Deposits.

Investments.

Conversion to  
cash.

Accounts.

Access to  
accounts and  
records per-  
mitted.

Character of  
investments.

Proviso.

employ a secretary and other assistants at such salary as the governing body may fix. All surety bond premiums, compensations and all expenses necessarily incurred by the sinking fund commission, in the discharge of its duties, shall be paid from the general funds, and not from the sinking fund accounts.

7. Sinking fund commissions shall have sole custody and control of all sinking fund moneys, securities, books, papers and records appertaining thereto. They shall deposit all moneys which shall come into their hands in a depository or depositories selected by themselves. They shall invest, reinvest and keep invested all moneys coming into their hands in the securities or forms of investment authorized by this act, and in none other. They shall have power to sell or convert into cash such investments or property as may be necessary from time to time to provide funds from which to pay bonds of the municipality, county or school district, upon maturity, or to sell such securities or forms of investment for the purpose of protecting the sinking fund from loss or for bettering the investment. It shall be the duty of the commission to keep accurate and detailed books of account covering all moneys coming into its custody, and the investment, return on investment, increase or loss thereof and the expenditure thereof, in accordance with the requirements of this act, to make the reports and certificates as and when required, and to permit access to and inspection of its accounts and records, at all reasonable hours, by any person duly authorized by the governing body of the municipality, county, school district or the commissioner of municipal accounts, or his agents or any interested citizen taxpayer.

8. Investment of sinking fund moneys shall be limited to the bonds of the government of the United States, or bonds of the State of New Jersey, or the bonds of any county, school district or municipality of this State, or the negotiable notes or certificates of any county, municipality or school district of this State. *Providing*, that the date of maturity of investments for sinking fund account shall be such that, with subsequent accretions to the fund, there shall be moneys on

hand to pay the several issues of bonds as they shall fall due.

9. The sinking fund commission shall report annually, on or before the fifteenth day of January of each year, to the governing body of the municipality, county or school district fully and in detail with reference to the amount, investment and sufficiency of the sinking funds in their hands, as of the thirty-first day of December of the previous year. Such report shall be published for distribution by the sinking fund commission during the month of January of each year. In addition, the commission shall make such other and further reports as shall be required by the governing body of the municipality, county or school district or by any State authority pursuant to law.

Annual report.

Report published.

10. The sinking fund commission shall cause to be kept a separate account for each issue of term bonds and under at least the following classifications: namely, school bonds, water bonds, and general bonds, but may invest all funds under one account and shall distribute and credit to each account the proper proportion of the annual sinking fund appropriation, and also make among such accounts a proportionate distribution of all accretions and interest earned by the sinking fund investment and a like distribution of losses, which distribution shall be made as of the thirty-first day of December of each year.

Separate accounts of bonds; classifications.

Distribution of accretions or losses.

11. When any sinking fund commission shall purchase any bonds of the municipality, county or school district for which it is constituted, as the result of its bid for said bonds or in exercise of the preferential right of purchase, as granted by law, said bonds, so purchased, shall not be sold within ten months after the time of purchase. No sinking fund commission shall sell any of the bonds of the municipality, county or school district for which it is constituted, which it may own, except for the purpose of raising funds with which to pay maturing bonds of the municipality, county or school district which are a proper charge against the sinking fund; *provided, however*, that if the sinking funds for the several issues of term bonds of

When commission purchases its own bonds.

Selling its own bonds.

Proviso.

any municipality, county or school district are equal to or in excess of the requirements as set forth in this act for the uncanceled bonds of such issues, then the sinking fund commission of said municipality, county or school district may cancel the bonds of any issue for which the sinking fund is in excess of said requirements to an amount not greater than said excess, and the sinking fund for said issue shall be reduced by the par value of the bonds as cancelled. *Provided, however,* that when the sinking fund for any issue of term bonds shall be equal to the principal of the uncanceled bonds of said issue, the sinking fund commission may cancel any or all of said bonds and the sinking fund for said issue shall be reduced by the par value of the bonds so cancelled.

Proviso.

Funds transmitted for bonds due.

12. At least three days previous to the time when any bonds shall fall due, for which there are funds to the credit of such bonds in the custody of the sinking fund commission, such commission shall transmit to the chief financial officer of the municipality, county or school district, as the case may be, the funds on hand to the credit of such bond issue, providing such funds are not in excess of the amount of bonds falling due, in which case only an amount sufficient to retire such bonds shall be transmitted. Should there be a surplus in any account, after the payment of all the bonds of such issue, then such surplus shall be placed in the special sinking fund account, if such shall exist in accordance with the provisions of this act, and if there be no special sinking fund account, such surplus shall be distributed among the other bond accounts in the sinking fund, and credited to the principal thereof.

If surplus.

### ARTICLE III.

#### MAINTENANCE OF SINKING FUNDS IN CONFORMANCE WITH THE PRESCRIBED STANDARD.

Enforce payment to fund.

13. The sinking fund commission shall have power and authority to demand and enforce by appropriate legal proceedings the appropriation, collection and pay-

ment to the sinking fund of the proper amounts due thereto, as provided by this and any other act.

14. The annual sinking fund requirements for the uncanceled bonds of any issue of term bonds issued by any municipality, county or school district of the State, shall not be less than an amount, which, figured at the time of the issuance of the said bonds, would if thereafter annually contributed to such fund, with the fund and with the accumulations thereon, and the contributions thereto, computed at the rate of three and one-half per centum per annum, produce at the date of maturity an amount equal to the amount of the bonds, which shall hereafter be known as the "Amortization basis." *Provided, however,* that any part of the sinking fund for an issue of bonds, which arises from other sources than the tax levy, shall be deducted from the sinking fund requirements to be placed in the tax levy and the balance only raised by taxation. Moneys accruing to the sinking fund from the payment of assessments, or the receipts from utilities dedicated to bond payments, shall be credited as principal and not as earnings.

Sinking fund requirements; amortization basis.

Proviso.

Certain moneys credited as principal.

15. The sinking fund commission of each municipality, county and school district (where a sinking fund commission exists for said school district) shall calculate the requirements of the sinking fund for all term bonds for the ensuing fiscal year, in accordance with the provisions of section fourteen of this act, and on or before the sixtieth day prior to the close of the fiscal year of the municipality or county, and on or before the sixtieth day before the annual school meeting for school districts shall submit such calculation of the sinking fund requirements, together with a list of all bonds falling due within the ensuing year, for the payment of which a tax must be levied to the governing body of the municipality, county or school district, and to the commissioner of municipal accounts. The commissioner of municipal accounts shall correct and audit such calculations, and on or before the last day of the fiscal year for municipalities or counties and two weeks prior to the annual meeting for school dis-

Requirement of fund for year calculated.

Submission to commissioner of municipal accounts.

Accounts audited.

Certificate of requirements for fiscal year.

districts shall issue a certificate of the sinking fund requirements for the ensuing year to the sinking fund commission, and shall transmit a copy of such certificate to the governing body of the municipality or the county, or board of education, as the case may be, and the amount as certified to by the commissioner of municipal accounts, shall be the official determination of the sinking fund requirements for the fiscal year, and shall be included in the annual tax levy of the municipality or county and the appropriations of school districts, and shall be assessed, levied and collected as required by law. The required amount as certified shall be turned over to the sinking fund commission of the municipality, county or school district, as the case may be, on or before the thirty-first day of December following. The sinking fund commission of the municipality, county or school district shall on or before the fifth day of January following, submit to the commissioner of municipal accounts a certificate as to the receipt or nonreceipt by it of the sinking fund requirements previously certified.

Required amount turned over to sinking fund.

Acknowledgment of receipt.

No contributions when fund equals amount of bonds.

16. When the sinking fund of any issue of term bonds shall equal the amount of the uncanceled bonds of such issue, no further contributions shall be required to be made thereto, excepting to make good any losses which may occur, and the earnings of such sinking fund may be used to reduce the total annual sinking fund requirements, as provided in section fourteen of this act.

Excess applied to reduce requirements.

17. When the accumulation of the sinking fund for any year shall be more than three and one-half per centum, then the amount in excess of three and one-half per centum may be applied to reduce the sinking fund requirements for the succeeding year, and if the accumulations of the sinking fund for any year are less than three and one-half per centum, then an amount sufficient to make up the deficit in accumulations for that year shall be added to the sinking fund requirements for the succeeding year.

If deficit.



## ARTICLE IV.

READJUSTMENT OF SINKING FUNDS TO CONFORM WITH  
THE PRESCRIBED STANDARDS.

18. On or before the thirty-first day of July next following the passage of this act, the sinking fund commission of each municipality, county and school district (where a sinking fund commission exists in such school district) in this State, which has issued term bonds, shall make a tabulation of all such bonds outstanding as of the thirty-first day of December previous, together with the amount and value of the sinking fund for each such issue. The sinking fund commission shall calculate and determine whether the sinking fund for each issue is equal to the amortization basis as set forth in section fourteen of this act.

Tabulation  
of outstanding  
bonds.

19. If, upon such tabulation and calculation, in any municipality, county or school district, any sinking fund for the issue of term bonds shall be found to be in excess of the proper amortization basis, and any other sinking fund shall be found to be deficient, or any issue of term bonds shall be without sinking fund, then such excess shall be transferred and credited to the deficient sinking funds in the order of the maturity of the bond issues where deficiencies are found; should a distribution of surplus be made it must be to funds for bonds within a classification as defined in section ten.

If sinking  
fund in excess,  
transfer to de-  
ficient fund.

20. The sinking fund commission of the municipality, county or school district, shall transmit such tabulation and calculation to the commissioner of municipal accounts on or before the thirty-first day of July following the passage of this act, and the commissioner of municipal accounts shall, on or before the fifteenth day of October, issue a certificate of the requirements for the special sinking fund, as hereinafter provided, to the sinking fund commission, and shall transmit a copy of such certificate to the governing body of the municipality, county or school district, as the case may be, and the amount as certified by the commissioner of municipal accounts, shall be the official determination of the special sinking fund requirements for the next fiscal

Tabulation  
transmitted  
to commis-  
sioner of mu-  
nicipal ac-  
counts

Requirements  
for special  
sinking fund.

Included and collected in tax levy.

year, and shall be included in the next annual tax levy of the municipality or county or budget of appropriations in school districts and shall be assessed, levied and collected as other taxes are assessed, levied and collected, and the requirements as certified for the special sinking fund, as herein defined, shall be turned over to the sinking fund commission of the municipality, county or school district on or before the thirty-first day of December following.

Raising money to meet deficiencies.

21. In order to bring the sinking fund for each issue of term bonds up to the proper amortization basis, the deficiency as shown by the final tabulation and calculation, as directed in sections eighteen, nineteen and twenty of this act, shall be raised and paid into a fund, to be known as special sinking fund, in annual installments at the rate of not less than one-fifth of a mill on the dollar of the last corrected valuation of taxable property in the municipality, county or school district, as the case may be, until the deficiency with interest compounded annually at three and one-half per centum from the first day of January preceding the passage of this act is accumulated.

Special fund additional to annual fund.

22. The special sinking fund requirements, as provided in section twenty-one of this act, shall not be taken or construed to take the place of the proper annual sinking fund requirements for any issue of term bonds, but shall be in addition thereto.

Special fund held in tact.

23. The special sinking fund shall be held intact, as such, until it shall have accumulated an amount sufficient to create or equalize the sinking fund for each issue of term bonds in accordance with the standard as defined in section fourteen. Then said special sinking fund shall be distributed to the several sinking fund accounts, and the special sinking fund retired; *provided, however,* that if during the process of accumulation of the special sinking fund there shall fall due any bonds for whose payment no sinking fund has been accumulated, or the sinking fund for which is insufficient for the payment thereof, then the amount of the deficiency for the payment of such bonds shall be taken from the special sinking fund and the yearly installment shall

Distribution.

Proviso.

continue to be raised and set aside until the said sinking fund, with its accumulations, shall be equal to the deficiency of the sinking fund for all term bonds. The annual requirements for, the distribution of, and the discontinuance of the special sinking funds shall be subject to the approval of the commissioner of municipal accounts.

Approval of  
special fund.

24. If the sinking fund for any issue of term bonds in any municipality or county or school district shall, after equalization, as provided in section nineteen of this act, be in excess of the amount indicated as necessary for the amortization thereof, the funds on hand shall be held in the sinking fund for the amortization of the bond issue, and the yearly payment to be made to such sinking fund shall be fixed as in section fourteen of this act, less estimate of the annual earnings, figured on a three and one-half per centum basis, on the excess of the sinking fund over the amortization basis as fixed in section fourteen of this act.

Any excess  
to be held  
for amortiza-  
tion of bond  
issue.

25. Nothing in this act shall be construed to require any sinking fund commission to do any act in violation of the contractual obligations of the municipality or county or school district, as the case may be, in respect to any bonds, notes or other evidences of indebtedness of said municipality or county or school district for the payment of which a sinking fund shall have been or may hereafter be created.

Contractual  
obligations  
observed.

26. In the event of the failure of the Commissioner of Municipal Accounts to certify the requirements or other matters required by this act to be certified by him, then the Sinking Fund Commission shall itself determine such requirements and other matters.

If commis-  
sioner fails to  
certify, com-  
mission to de-  
termine.

#### ARTICLE V.

27. All acts and parts of acts inconsistent with this act are hereby repealed. This act shall not be construed to repeal an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three, which

Repealer.

Act not  
affected.

supplement was approved April nineteenth, one thousand nine hundred and fifteen, and is known as chapter 349 of the Laws of 1915.

28. This act shall take effect immediately.

Approved March 29, 1917.

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### CHAPTER 213.

An Act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 41  
amended.

I. Section forty-one of the act entitled "An act for the assessment and collection of taxes" (Revision, 1903), approved April eighth, one thousand nine hundred and three, is hereby amended to read as follows:

Disposition  
of taxes by  
collectors.

41. The collector, or other officer having custody of collected taxes in each taxing district, shall pay to the county collector of the county of which his taxing district is part the State and county taxes assessed in his taxing district, on or before the twenty-second day of December in each year, out of the first moneys collected. On any part of such taxes not so paid the taxing district in arrears shall pay to the county interest at the rate of six per centum per annum. The county collector shall pay the State taxes so received to the State Treasurer on or before the twentieth day of the following January. The remaining taxes shall be disposed of for the use of the taxing district; the collector, after receiving the tax duplicate, shall report his collections to the governing body of the taxing district on the first Monday of each month, and oftener if they shall require, and pay the amount collected to the treasurer or other officer authorized to receive the same.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and particularly an act entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which act was approved April seventh, one thousand nine hundred and nine. Repealer.

3. This act shall take effect immediately.

Approved March 29, 1917.

#### CHAPTER 214.

An Act to amend an act entitled "An act to establish an excise department in certain cities of this State," approved April eighth, one thousand nine hundred and nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this is an amendment be and the same is hereby amended to read as follows:

Section 1  
amended.

1. In all cities in this State now or hereafter having within their territorial limits a population of not less than fifty thousand or more than one hundred and ten thousand inhabitants, according to the United States or State census, there shall be and hereby is established a board of excise commissioners to consist of five members to serve for the term of three years, which board shall be elected on a general ticket at the election in such city next after the passage of this act, in the same manner as other city officers of said city are elected; that the salary of said commissioners shall be fixed by ordinance in the same manner as the salaries of other city officers, but shall not exceed the sum of five hundred dollars each per year, and the said salary shall be

Excise com-  
missioners in  
certain cities.

Nubmer; term.

Salary.

Powers.

Prescribe and  
enforce pen-  
alties.

Ordinances.

As to fees.

Proviso.

Section 2  
amended.

Excise in-  
spector.

paid out of the license fees; that such board of excise commissioners shall have power within such city to make, establish, amend or repeal ordinances and by-laws; to license and regulate the sale of intoxicating liquors in said city; to prescribe by ordinance the form of application to be used, and to fix the amount of license fees to be paid for the various licenses that may be used, and when licensed, to revoke or transfer such license, and to prohibit all traffic in or sale of intoxicating drink or drinks, to license, regulate or prohibit billiard saloons and bowling alleys, and to prescribe and enforce a penalty or penalties, either by fine or imprisonment, for the violation of such ordinance or by-laws, which said penalties shall be enforced and collected by said board of excise commissioners in the same manner as any other penalties are enforced and collected in any such city, and that every ordinance or by-law of such board of excise commissioners shall, after its introduction and before its final passage, be published for two insertions in two newspapers, if so many there be published and circulating in such city, and be concurred in by at least three members of such board of excise commissioners as may be present at its final passage; and no license for such purposes within said city, granted by any other authority, shall be lawful; that all fees for licenses granted by said commissioners shall be paid to the city clerk, who shall, in addition to his other duties, act as the clerk of said commissioners, and by him be paid over to the city treasurer; *provided, however*, that nothing in this act contained shall be held to repeal or alter any law of this State concerning any misdemeanor or other crime, and that no license shall be prescribed or issued for any character of business different from that now permitted by law or any license fee fixed for any amount less than the minimum amount fixed by law.

2. Section two of the act to which this is an amendment be and the same is hereby amended to read as follows:

2. It shall be lawful for such board of excise commissioners to appoint an excise inspector, who shall

hold office for such term, not exceeding three years, as shall be fixed by said board, at a salary not to exceed the sum of twelve hundred dollars per annum, which shall be paid in the same manner as the salaries of the other city officers, and to prescribe his powers and duties.

3. This act shall take effect immediately.

Approved March 29, 1917.

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### CHAPTER 215.

An Act respecting the establishment of building lines in municipalities in this State.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The word "street," used in this act, means any public street, avenue, highway, esplanade, boulevard, parkway or square, or any part, or side, or part of the side of any of the same. "Street" defined.

2. In addition to any power now vested in any board or body having control of the streets and highways of any municipality in this State, said board or body shall have power and authority to establish, by ordinance, building lines on any streets therein, and thereafter no structure, building or part thereof between such building line and street shall be re-erected, or reconstructed or substantially repaired; and no new building, structure or part thereof shall be erected between said lines, except such temporary structures as may be permitted upon such terms and conditions as may be prescribed in such ordinance. Such ordinance may also fix a time after which no structure, building or part thereof whatever shall continue to stand between said lines. Building lines established.

3. When in the judgment of said board or body it is desirable that a building line shall be established on any street, then said board or body may, by a resolution setting forth the improvement desired, direct their proper officers to prepare a map describing the location As to new buildings. Map of proposed improvement.

Notice of  
hearing.

Hearing.

Line estab-  
lished by  
ordinance.  
Payment for  
property taken.

Control of  
streets not  
affected.

of such building line, which, when so prepared, shall be presented to, and if adopted by said board or body shall be filed. Said board or body shall fix upon a day for a hearing upon said improvement, and shall then cause to be placed in at least two daily newspapers, if there be any such in said municipality, for five insertions or in any weekly newspaper circulating in said municipality for one insertion, a notice of the proposed establishment of said building line, of the time and place for hearing objections thereto, which said notice shall describe the location and extent of the establishment of the building line and the time within which buildings or structures will be permitted to remain between said line and the street. Such hearing shall not be held sooner than two weeks from the date of the first publication of said notice; and at the time and place so fixed said board or body shall proceed to hear and adjudicate upon any objections which may be presented, and no building line shall be established under the provisions of this act if objections thereto in writing are presented to said board or body by the owners of more than one-half of the frontage proposed to be taken on the basis of the preliminary map. In case objections shall not be so presented, the establishment of said building line may by ordinance then be finally made. Payment for the real estate and easements to be taken and acquired and damages sustained shall be made in the manner now prescribed by law in any such municipality for the acquiring of lands for the opening of streets, having due regard to the partial use of the land to be taken for street purposes prior to the dates of its complete appropriation for street purposes.

4. This act shall not be construed so as to limit or abridge any right, power or authority heretofore conferred upon or vested in any board or body having control of the streets and highways of any municipality in this State.

5. This act shall take effect immediately.

Approved March 29, 1917.



## CHAPTER 216.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," the title of which was amended to read as herein set forth by an act approved April second, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for the board of commissioners of any city in this State which has adopted, or shall hereafter adopt the provisions of the act to which this act is supplemental, to increase, by ordinance, the compensation which the mayor and commissioners shall receive; *provided*, the amount of such increase shall in no instance exceed fifty per centum of the salary as fixed by the act to which this act is supplemental; *and provided*, *further*, that no ordinance passed under the authority of this act shall become effective in any such city until after its provisions have been submitted to the electorate and adopted by a majority of the qualified voters voting thereon at a general or regular municipal election.

Increase of  
salary of com-  
missioners.

Proviso.

Proviso.

Referendum.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 217.

A Supplement to an act entitled "An act respecting conveyances" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Filing maps.

1. No map, plat, plan or chart of lands showing subdivisions into blocks and lots now required by law to be approved or filed shall be approved by the governing body having control of the streets and highways of the municipality where the lands embraced on said map are located or received for filing in the office of the clerk of the Court of Common Pleas or registry of deeds, whenever such office exists, in any county of this State, unless monuments of hard, durable material, having a depth of at least two and one-half feet, and at least six inches square at the top, shall be clearly shown and referenced on said map at the intersection of all streets or avenues located thereon.

Dimension of monuments at street intersections.

Approved March 29, 1917.

## CHAPTER 218.

An Act to amend an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 21 amended.

1. Section twenty-one of the act to which this act is amendatory is hereby amended to read as follows:

21. No highway shall be constructed across the tracks of any railroad company grade, nor shall any track over which locomotives, railroad or street railway cars are to pass be laid across any highway, so as to make a new crossing at grade, nor shall the tracks of any railroad or street railway or traction company be laid across the tracks of any other railroad or street railway or traction company without first obtaining therefor permission from the board; *provided, however*, that this section shall not apply to the replacement of lawfully existing tracks.

No new grade crossings without approval of board.

Proviso.

Approved March 29, 1917.

## CHAPTER 219.

An Act for the display of the United States flag in all court rooms in this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The flag of the United States shall be displayed in an appropriate place in every court room in this State during the sessions of the court.

Flag displayed in court rooms.

2. It shall be the duty of the judge, justice or other judicial officer presiding to see that this law is enforced, and the proper authorities charged with the duty of supplying and furnishing the respective courts are hereby charged with the duty of supplying an appropriate flag for every court room within their jurisdiction.

Authorities to furnish flag.

3. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 220.

A Supplement to an act entitled "An act respecting sheriffs in counties of the first class in this State, and providing salaries for such officers, and respecting the fees and duties of such sheriffs," approved February twenty-first, one thousand nine hundred and five.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Receipt and  
use of moneys  
received from  
sheriff.

Use of surplus.

Repealer.

1. The moneys received by the county collector from the sheriffs, or by any deputies, assistants or other persons in their office or employment, in counties of the first class in this State, pursuant to the act to which this act is a supplement, shall be placed in a separate fund to the credit of the said office, out of which said fund the salary of said sheriffs and the compensation of their respective deputies and assistants shall be paid, and any surplus thereafter remaining shall be retained in said fund for the use of, and until disposed of by, the boards of chosen freeholders of the respective counties, according to law.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 221.

An Act to amend an act entitled "An act respecting the fees of surrogates, county clerks and county registers of deeds and mortgages in counties of the first class and providing salaries for such officers," approved April second, one thousand eight hundred and ninety-eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section four of the above act is hereby amended so that the same shall read as follows: Section 4 amended.

4. The said surrogates, county clerks and registers of deeds and mortgages of the counties of the first class of this State shall be paid an annual salary of seven thousand five hundred dollars, to be paid by the county collectors of their respective counties in equal semi-monthly payments, in full compensation for all services rendered by said surrogates, county clerks and said registers of deeds and mortgages in lieu of all fees and other compensation whatever heretofore provided or allowed by law; said surrogates and county clerks and said registers of deeds and mortgages shall select and employ the necessary deputies and assistants for said offices, respectively, who shall receive such compensation as shall be approved by the boards of chosen freeholders of their respective counties, and who shall be paid semi-monthly by the proper disbursing officers of the said counties, on warrants authorized by the boards of chosen freeholders of their respective counties; *provided, however*, that the said salaries, together with the compensation of the aforesaid deputies and assistants for said offices, respectively, shall not in any year exceed the revenue of said offices. Salaries.  
  
Payable semi-monthly.  
  
Deputies and assistants.  
  
Proviso.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 222.

A Supplement to an act entitled "An act respecting the fees of surrogates, county clerks and county registers of deeds and mortgages in counties of the first class and providing salaries for such officers," approved April second, one thousand eight hundred and ninety-eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Receipts from  
various offices  
kept separately.

1. The moneys received by the county collector from the surrogates, county clerks and registers of deeds and mortgages, or by any assistant or other person in their office or employment, in counties of the first class in this State, pursuant to the act to which this act is a supplement, shall be placed in separate funds to the credit of the respective offices from which said moneys were received, and out of which said funds the salaries of the said surrogates, county clerks and said registers of deeds and mortgages, and the compensation of the deputies and assistants for said officers shall be paid, and any surplus thereafter remaining shall be retained in said funds for the use of, and until disposed of by, the boards of chosen freeholders of the respective counties, according to law.

Use of funds.

Repealer.

2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 223.

An Act to amend an act entitled "An act concerning District Courts (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section eight of the act to which this is an amendment is hereby amended to read as follows:

Section 8  
amended.

8. The salaries of clerks of said courts shall be fixed as follows: In cities having two hundred thousand inhabitants or over, an annual salary of two thousand dollars; in cities having between sixty thousand and two hundred thousand inhabitants, an annual salary of eighteen hundred dollars; in cities having between twenty-five thousand inhabitants and sixty thousand inhabitants, an annual salary of twelve hundred and fifty dollars; in cities having between twenty-three thousand and twenty-five thousand inhabitants, an annual salary of nine hundred dollars; in cities having between seventeen thousand and twenty-three thousand inhabitants, an annual salary of seven hundred and fifty dollars; in judicial districts having one hundred thousand inhabitants or over, an annual salary of seventeen hundred and fifty dollars; in judicial districts having between forty thousand and one hundred thousand inhabitants, an annual salary of one thousand dollars; in judicial districts having less than forty thousand inhabitants, an annual salary of six hundred dollars; which salaries of said clerks shall be in lieu of all fees whatsoever.

Salaries of  
district court  
clerks.

Judicial dis-  
tricts.

2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 29, 1917.

## CHAPTER 224.

An Act to annex to the city of New Brunswick, in the county of Middlesex, a portion of the township of North Brunswick, in the county of Middlesex.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Boundaries of part of North Brunswick township annexed to New Brunswick.

1. All that portion of the township of North Brunswick, in the county of Middlesex, included in the following boundaries, to wit:

Beginning at a point in the boundary line of the city of New Brunswick where the Mile Run brook is intersected by the center line of Franklin and Georgetown turnpike, now known as Somerset street; thence (1) running southwesterly along the center line of the Franklin and Georgetown turnpike to the intersection of said center line with the center line of lands of the New Brunswick and Millstone Railroad Company, near Voorhees station; thence southeasterly to the point of intersection of the center line of the road or lane known as Titus lane with the westerly line of lands of the Pennsylvania Railroad Company main line; thence northeasterly along the center line of said lane or road to a point where the same intersects the center line of the Trenton and New Brunswick turnpike; thence easterly along the center line of said Trenton and New Brunswick turnpike to a point where the same intersects the center line of a brook known as Mile Run brook; thence northerly along the several courses of said brook to the point or place of beginning, is hereby set off from said township of North Brunswick, in the county of Middlesex, and made a part of the city of New Brunswick, in the county of Middlesex.

Approved March 29, 1917.



## CHAPTER 225.

A Supplement to an act entitled "An act to authorize any trust company and State bank heretofore or hereafter incorporated under the laws of this State to become a member of the Federal Reserve Bank, organized or to be organized in the Federal Reserve district in which such trust company or State bank is located, under the provisions of the act of Congress known as the 'Federal Reserve Act,' approved December twenty-third, one thousand nine hundred and thirteen," approved April fourteenth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any trust company or State bank heretofore or hereafter incorporated under the laws of this State which shall become a member of the Federal Reserve Bank, in accordance with the provisions of the act to which this is a supplement, shall be subject to the provisions of the Federal Reserve act and any amendments thereto relative to bank reserves, in substitution for the requirements of the laws of this State concerning bank reserves for trust companies or State banks not members of the Federal Reserve Bank.

Members of  
Federal Reserve Bank  
subject to its  
provisions.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 226.

A Supplement to an act entitled "An act for the settlement and relief of the poor (Revision of 1911)," approved April twenty-first, nineteen hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Care of children by freeholders.

Commitment to charitable institution.

Acceptance.

Record of commitment.

Monthly report.

Payment.

1. The board of chosen freeholders of any county in this State that has assumed the maintenance of the poor and is now maintaining children in a duly incorporated charitable institution in said county, are hereby empowered to make provision for children under the age of eighteen years, whose support they have assumed by committing them to the care and control of such duly incorporated charitable institutions, and for such time as they may see fit; said commitment shall be in writing and signed by the trustees of the county poorhouse and shall be subject to the approval of the trustees or managers of such charitable institution, who shall signify their approval by endorsing the same upon the back of the duplicate copy of said commitment, as accepted subject to the provisions of this act, and sign their names thereto, and the trustees of said county poorhouse shall keep said duplicate copy of commitment on file, and also, in a suitable book for such purpose, shall keep a record of such commitment, showing the date thereof, the name, age, color, nativity, sex and mental and physical condition of each child thus committed, and the length of time for which committed, and shall report the same monthly to the board of chosen freeholders of said county, who are hereby authorized and required to pay out of the funds belonging to said county, to the trustees or managers of such charitable institution, a sum not exceeding two dollars per week for each and every child thus committed during their

continuance in said institution, for the board, maintenance and education of such child, until it arrives at the age of eighteen years; and the county collector of such county is hereby authorized to pay the same, upon an order drawn upon him, and signed by the director of said board, for that purpose.

2. The said trustees or managers of such charitable institution shall make an annual report to said board of chosen freeholders as to all such commitments made to the institution, the date of each, the name and age of each child thus committed, the number of such children in said institution each month, the date of the discharge of each, and the amount of money received by the institution each year for their support, and such other information as may be required by said board of freeholders as to the care and condition of the children thus committed.

Institution's  
report to  
freeholders.

3. Notwithstanding the commitment of such children to any charitable institution, at any time during their stay at said institution, the board of freeholders, through the trustees of the county poorhouse, shall possess and are hereby authorized to exercise the same power now given to them by law, to bind out any such child to learn some trade or business, whenever a suitable place or person can be found.

Authority of  
freeholders  
over child.

4. No child or children shall be committed by any board of chosen freeholders in any county in this State to any charitable institution in this State, or elsewhere, under the control and management of any religious denomination.

Not committed  
to religious  
institutions.

5. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 227.

An Act to amend an act entitled "A general act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 26  
amended.

1. That section twenty-six of an act entitled "A general act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, be and the same is hereby amended to read as follows:

Passage of  
ordinances.

26. All ordinances shall be submitted in writing at a regular meeting of the council and passed at a subsequent regular meeting; *provided, however*, that no ordinance shall be finally passed, no officer appointed or removed or salary fixed except by the vote of a majority of the whole council; if approved by the mayor or passed over his veto, or if not returned by him with his approval or veto within five days, Sundays excepted, after he receives it, every ordinance shall be recorded in full by the borough clerk in a proper book to be kept for that purpose and advertised by publishing the same in at least one and not more than two newspapers published in or near said borough by insertion for two successive issues; said ordinance shall not take effect until so published, but in every case where such ordinance may come in question or be enforced, such publication shall be presumed to have been had until the contrary thereof be shown.

Proviso.

Action by  
mayor.

Record.

Advertised.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 228.

An Act to regulate the use of motor vehicles for commercial purposes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. "Commercial motor vehicle," as used in this act, shall include every type of motor-driven vehicle used for commercial purposes on the highways, excepting such vehicles as are run only upon rails or tracks. Definitions.

"Motor-drawn vehicle," as used in this act, shall include trailers, semi-trailers, or any other type of vehicle drawn or propelled by a motor-driven vehicle.

"Trailer," as used in this act, is a vehicle of more than two wheels, without motor power, drawn or propelled by a motor vehicle.

"Semi-trailer," as used in this act, is a two-wheeled vehicle, without motor power, drawn or propelled by a motor vehicle.

"Pneumatic tire," as used in this act, is a rubber tire in which the air chamber has a cross-section area of at least fifty per centum of the total cross-section area of the tire and air chamber combined, and which depends upon the sustaining power of compressed air therein contained to support the load.

All other tires referred to in this act shall be classed as solid rubber tires.

2. The Commissioner of Motor Vehicles shall license traction machines and agricultural machinery, not equipped with rubber tires, to travel upon the public highways at a speed not to exceed four miles per hour, in cases where coverings of wood or other substance are attached to the wheels in such manner as to present a smooth surface to the highway, and in accordance with such regulations as shall be adopted by the Commissioner of Motor Vehicles. The fee for such license shall be three dollars per annum, whether such license be is- Traction and agricultural machines licensed.  
  
License fee.

sued for the calendar year or for only a portion of the calendar year.

Not draw more than one vehicle.

3. No commercial motor vehicle shall be used on the public highways while drawing or propelling more than one motor-drawn vehicle, either trailer or semi-trailer.

Vehicle without pneumatic tires to have plate giving certain information.

4. No commercial motor vehicle not equipped on all wheels with pneumatic tires shall be used on the public highways unless it has on the left-hand side of the chassis, in plain view, a metal plate giving the following information:

Maker's name,  
Number,  
Model,  
Motor number,  
Weight of vehicle.....pounds,  
Allowable load.....pounds,  
Gross weight.....pounds,  
Maximum speed.....miles per hour.

Overhanging loads marked by flag or red light.

5. Every commercial motor vehicle or motor-drawn vehicle used on the public highways carrying loads extending beyond the outside dimensions of such vehicle shall have displayed at the outside extremity of such load a red flag by day, which shall be not less than twelve inches square, and a red light by night, and they shall be so hung as to present a full view to the drivers of approaching vehicles. Such red light shall be in addition to the red light now provided for in section four of the act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

Overweighted machines on bridges.

6. No commercial vehicle shall be driven over any bridge in this State upon which bridge is posted in a conspicuous place a sign stating the gross weight which said bridge will carry, if the gross weight of said vehicle and load is greater than the gross weight stated

on said sign. In case this section is violated, the owner of the commercial motor vehicle used in violation of this section shall, in addition to the penalty in this act prescribed, be responsible to the county or municipality maintaining such bridge for any damage which may be done to such bridge by reason of such violation. Penalty.

7. All motor vehicle inspectors shall be authorized to make such tests as in their judgment may be necessary for the purpose of determining the gross weight, size of tires, speed in miles per hour of all commercial motor vehicles and motor-drawn vehicles operated on the highways of this State. Tests.

8. The size of tires used on all commercial motor vehicles or motor-drawn vehicles shall be determined on the maximum width of rubber, and in no case shall the width of bearing surface, when such vehicle is unloaded, be less than two-thirds of such size. Size of tires.

9. No registration shall be issued for any commercial motor vehicle, tractor, trailer or semi-trailer equipped with tires smaller than the tires required by the schedule below given. No license if tires too small.

10. Not more than one-third of the gross weight of vehicle and allowable load combined, as shown on the chassis plate, shall be carried on any one wheel, nor shall the limits of the schedule for the respective diameter of wheel, size of tire and speed in miles per hour be exceeded. The front wheel or wheels shall carry the balance of the gross weight of vehicle and allowable load combined, as shown on the chassis plate, and must be within the limits of the schedule with respect to diameter of wheels and size of tires, as shown in the schedule herein contained. Weight per wheel.

11. The following is the schedule above referred to: Schedule not exceeded.

Schedule of tires, weight, and speed.

GROSS WHEEL LOAD IN POUNDS AND MAXIMUM SPEED IN  
MILES PER HOUR FOR COMMERCIAL MOTOR AND  
MOTOR-DRAWN VEHICLES EQUIPPED WITH  
TIRES OF A GIVEN SIZE AND DIAMETER.

Size of Tires.		Diameter of wheel and carrying capacity.						Speed miles per hour for rear wheel.
		32"	34"	36"	38"	40"	42"	
	Single.							
2	Inches	565	595	625	660	690	720	20
2½		840	890	940	990	1040	1090	20
3		1125	1190	1250	1315	1375	1440	20
3½		1415	1490	1565	1640	1715	1790	18
4		1690	1780	1875	1970	2065	2155	16
5		2250	2375	2500	2625	2750	2875	14
6		2815	2970	3125	3285	3440	3595	12
7		3375	3565	3750	3940	4125	4315	10
	Double.							
2	Inches	1125	1188	1250	1312	1375	1438	18
2½		1676	1775	1875	1975	2075	2175	18
3		2250	2375	2500	2625	2750	2875	16
3½		2825	2975	3125	3275	3425	3575	14
4		3375	3560	3750	3940	4125	4310	13
5		4500	4750	5000	5250	5500	5750	12
6		5625	5940	6250	6565	6875	7190	10
7		6750	7125	7500	7875	8250	8625	10

## Penalties.

12. Any person violating any of the provisions of this act shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars for the first offense, and a fine of not less than fifty dollars nor more than two hundred dollars for a second and each subsequent offense. Any fine recovered for a violation of this act shall be recovered in the manner prescribed by the provisions of an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof

## Recovery of penalties.



and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, and the acts supplemental thereto and amendatory thereof.

13. This act shall take effect January first, one thousand nine hundred and eighteen. Act effective.

Approved March 29, 1917.

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### CHAPTER 229.

A Further Supplement to an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Commissioner of Labor may, when he deems it necessary, require that all rooms or apartments used for the purpose of manufacturing, altering, repairing or finishing therein any articles as mentioned in section thirty-one of the act of which this act is a supplement shall be separate from and have no door, window or other opening into any living or sleeping room or any tenement or dwelling, and that no other rooms or apartments shall be used at any time for sleeping purposes and shall contain no bed, bedding or cooking utensils. He may further require or direct a separate outside entrance to the rooms or apartments where the work is carried on, and if such work is carried on above the first floor, then there may be directed a separate and distinct stairway leading thereto, and every such room or apartment

Working and  
sleeping rooms  
separate.

Entrance.

Sanitary conditions.

shall be well and sufficiently lighted, heated and ventilated by ordinary, or, if necessary, by mechanical appliances. He may also require suitable closet arrangement and separate toilets when and as he deems it necessary.

Register of persons to whom work given.

2. Any person, firm or corporation, by themselves or by their agents or managers, contracting for the manufacturing, altering, repairing or finishing of any articles whatsoever, as mentioned in section thirty-one of the act of which this is a supplement, or giving out material for which they or any part of them are to be manufactured, altered, repaired or finished, shall keep a register of the names and addresses plainly written in English of the persons to whom such article or articles are given to be so manufactured, altered, repaired or finished, or with whom they have contracted to do the same. Such register shall be subject to inspection on demand by the Commissioner of Labor or factory inspectors, and a copy thereof shall be furnished at his or their request.

Food, doll's or children's clothing not made in tenement.

3. No articles of food, no dolls, doll's clothing and no article of children's or infants' wearing apparel shall be manufactured, altered, repaired or finished in whole or in part for a factory, either directly or through the instrumentality of one or more contractors or third persons in a tenement house, in any portion of an apartment, any part of which is used for living purposes.

Penalty for violations.

4. Any person, firm or corporation, being the owner, lessee or occupant of the place or places to which the preceding sections or any part thereof relate, shall, for the violation of any of the provisions herein, be liable to a penalty of fifty dollars for the first offense and one hundred dollars for each succeeding offense.

Approved March 29, 1917.

## CHAPTER 230.

An Act to appropriate and to provide for the payment of a portion of the State tax levied and assessed upon railroad and canal property in this State to the State Road Fund, to be used for State road purposes.

WHEREAS, The tax now levied and assessed upon railroad and canal property under and by virtue of the provisions of the act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," which revising and amending act was approved March twenty-seventh, one thousand eight hundred and eighty-eight, and of the supplements and amendments thereto, will be increased in the rate of one mill on the dollar by reason of the "Act to provide for the taxation of real and personal property in this State for State road purposes," approved March thirteenth, one thousand nine hundred and seventeen, and it is the legislative intent to effect such increase of taxation upon railroad and canal property, and to appropriate and apply such increase to the State Road Fund for State road purposes:

Preamble.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The increase in the tax levied and assessed upon and collected from railroad and canal property, under and by virtue of the provisions of the "Act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," which revising and amending act was approved March twenty-seventh, one thousand eight hundred and eighty-eight, and of the supplements and amendments thereto, by reason of the tax of one mill on the dollar provided for by the "Act to provide for the taxation of real and personal property in this State for State road purposes," approved March thir-

Increase of  
taxes credited  
to road fund.

teenth, one thousand nine hundred and seventeen, shall be and the same is hereby appropriated to the State Road Fund, and shall be credited to the said State Road Fund, when and as received into the State treasury.

.2. This act shall take effect immediately.

Approved March 29, 1917.

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## CHAPTER 231.

An Act to amend an act entitled "An act to further amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, as amended by an act approved March twenty-eighth, one thousand nine hundred and four," which further amendment was approved March twentieth, one thousand nine hundred and seventeen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 10  
amended.

1. Section ten of an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, as amended by chapter 82 of the Laws of 1917, is hereby further amended so as to read as follows:

Taxation of  
mortgages.

10. No mortgage or debt secured by mortgage on real property which is taxed in this State shall be listed for taxation; and no deduction from the assessed value of real property shall be made by the assessor on account of any mortgage debt, but the mortgagor or owner of the property paying the tax on mortgaged real property shall be entitled to credit on the interest payable on the mortgage for so much of the tax as is equal to the tax rate applied to the amount due on the mortgage, except where the parties have otherwise agreed, or where the mortgage is an investment of funds not

subject to taxation, or where the parties have lawfully agreed that no deduction shall be made from the taxable value of the lands by reason of the mortgage. Bonds issued by any railroad company of any State shall be exempt from taxation while owned by any savings bank or institution for savings of this State.

Railroad bonds  
owned by sav-  
ings bank not  
taxed.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 232.

A Supplement to an act entitled "An act to increase the efficiency of public health protection in this State, to abolish the State Board of Health, and to create a State Department of Health, and to prescribe and define the powers and duties of such department," approved April fourteenth, one thousand nine hundred and fifteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Every physician, superintendent or other person having control or supervision over any State, county or municipal hospital, sanatorium or other public or private institution in which any person suffering from or infected with a venereal disease, such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases is received for care or treatment or in which any person who is received into any such State, county or municipal hospital, sanatorium or other public or private institution suffering from any other disease, but is found to be also infected with any venereal disease such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases, shall immediately after such case of sickness or disease has been received into said institution report such case

Cases of  
venereal dis-  
eases reported  
to state board  
of health.

Details in  
report.

Penalty for  
not reporting.

Physicians or  
nurses treat-  
ing venereal  
diseases to  
report them  
to state board  
of health.

Details in  
report.

Penalty for  
not reporting.

of sickness or disease to the Department of Health of this State. Such report shall state the name, address, color, sex and nationality of the person and the age as nearly as practicable, together with the character of the disease and the probable source of infection and whether previously reported or not, and if so, when, where and by whom; and every physician, superintendent or other person having control or charge over any State, county or municipal hospital, sanatorium or other public or private institution in which any case of venereal disease set out in this section is received for cure or treatment, who shall fail to perform the above-mentioned duty at the time and in the manner named, shall be liable to a penalty of fifty dollars for each such failure.

2. Every physician, nurse or other person treating or attempting to treat by prescription, formula, patented or proprietary medicine or compound or otherwise, and every physician, nurse or other person selling or giving away any prescription, formula, patented or proprietary medicine or compound, which either by itself or in connection or conjunction with any other treatment, medicine or compound is claimed to be useful, or to cure, relieve or to arrest in any way or manner any venereal disease such as chancroid, gonorrhea, syphilis or any of the varieties or stages thereof, shall report immediately to the Department of Health of this State the name, sex, address, color and nationality of the said person so infected with such disease, and the age as nearly as practicable, together with the character of the disease and the probable source of infection and whether previously reported or not, and if so, when, where and by whom; and every physician, nurse or other person treating or attempting to treat in any manner any of the venereal diseases or varieties or stages thereof, and every physician, nurse or other person selling or giving away any prescription, formula, patented or proprietary medicine or compound for the uses and purposes mentioned in this section who shall fail to perform the above-mentioned duty at the time and in the manner named,

shall be liable to a penalty of fifty dollars for each such failure.

3. The Department of Health of this State shall make and enforce such rules and regulations for the quarantining and treatment of venereal diseases such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases reported to it as may be deemed necessary for the protection of the public. Said Department of Health shall not disclose the names or addresses of such persons reported or treated to any person other than a prosecuting officer or in court in prosecutions under this or any other State law.

Rules and regulations made by state department.

4. The Department of Health of this State shall provide facilities for the free bacteriological examination of discharges for the diagnosis of gonorrheal infections, and also shall provide, at cost, vaccines or antitoxins for the treatment of such infections. And the said department shall make, at the expense of the State, the Wasserman or other approved tests or examine smears for the diagnosis of syphilis; and shall furnish the treatment known as "Salvarsan" or other accredited specific treatment at cost. But such diagnosis and treatment shall not be furnished until the data required for the registration of the case has been furnished by the physician, nurse, or institution treating the patient.

Examination and treatment.

Tests.

Furnish specific.

5. For the expenses of carrying into effect the purposes of this act, the sum of two thousand dollars is hereby appropriated annually, when included in any annual or supplemental appropriation bill.

Appropriation.

6. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 233.

An Act concerning transactions after twelve o'clock noon on Saturdays by banks, trust companies and banking institutions.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Banking on  
Saturday P. M.  
valid.

1. Nothing in any law of this State shall in any manner whatsoever affect the validity of, or render void or voidable, the payment, certification or acceptance of a check or other negotiable instrument or any other transaction by a bank, trust company or banking institution in this State, because done or performed on any Saturday between twelve o'clock noon and midnight; *provided*, such payment, certification, acceptance or other transaction would be valid if done or performed before twelve o'clock noon on such Saturday; *provided, further*, that nothing herein shall be construed to compel any bank in this State, which by law or custom is entitled to close at twelve o'clock noon on any Saturday, to keep open for the transaction of business or to perform any of the acts or transactions aforesaid, on any Saturday after such hour except at its own option.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 29, 1917.



## CHAPTER 234.

An Act to amend an act entitled "An act authorizing the appointment of boards of harbor commissioners in cities of this State fronting on, or containing within their borders, navigable or tidal waters and prescribing their powers and duties; and providing for the improvement of harbors and water fronts and the regulation and use thereof, and the extension of shipping facilities; the acquisition of lands and property by purchase or condemnation; the acquisition of lands under water or riparian lands from the State; and the raising of funds for the aforesaid purposes by the levy of taxes or the issuance of bonds," approved April fifteenth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. That section three of the act entitled "An act authorizing the appointment of boards of harbor commissioners in cities of this State fronting on, or containing within their borders, navigable or tidal waters and prescribing their powers and duties; and providing for the improvement of harbors and water fronts and the regulation and use thereof, and the extension of shipping facilities; the acquisition of lands under water or riparian lands from the State; and the raising of funds for the aforesaid purposes by the levy of taxes or the issuance of bonds," approved April fifteenth, one thousand nine hundred and eleven, be and the same is hereby amended to read as follows:

Section 3  
amended.

3. Any such board of harbor commissioners shall have power to employ or appoint, from time to time, a legal counsel and such engineers, surveyors, clerks and

Assistants.

Compensation  
of board and  
employees.

other persons to aid in the execution of the powers and duties conferred or imposed by this act as to such board may seem necessary, and fix the compensation of such appointees or employees, and also their own annual compensation, not to exceed five hundred dollars, subject to the approval of the board or body having control of the finances of such city.

Section 6  
amended.

2. That section six of said act be and the same is hereby amended to read as follows:

May operate  
or lease  
wharves, etc.

6. Such board of harbor commissioners shall have the power to maintain and operate or to lease to a lessee or lessees for a term of years in whole or in part, upon such terms, conditions and restrictions as it may prescribe, any wharf, pier, bulkhead, dock, slip, basin, warehouse or similar structure belonging to the city;

Proviso.

*provided, however*, that before making any such lease for a longer period than one year the said board shall advertise a notice of its intention to make such lease upon such terms, conditions and restrictions as it may prescribe, and inviting proposals therefor, which notice shall be printed twice in each week for the four calendar weeks preceding the date fixed for the receipt of such proposals in two newspapers published and circulating in the county in which such city is located; and such proposals shall be received and publicly opened and read at the time and place fixed in said notice, and such lease shall be awarded to the person proposing to take the same upon the most advantageous terms to the city.

Proposals con-  
sidered openly.

Year's lease.

But the said board may, in its discretion, reject all proposals. The said board may lease any wharf, pier, bulkhead, dock, slip, basin, warehouse or similar structure for a term not exceeding one year, without public advertising or letting, upon such terms and conditions as to it may seem advisable, or said board of harbor commissioners, instead of constructing, maintaining and operating or leasing any such wharf, pier, bulkhead, dock, slip, basin, warehouse or similar structure, as hereinbefore provided, may, either before or after the acquisition by it of any lands necessary for any such improvement, contract in the name of the city by a con-

May contract  
for construct-  
ing etc., wharf,  
basin, etc.

tract, to be approved by the board or body having control of the finances of such city, with any person, firm or corporation, for the construction by the said person, firm or corporation of the whole or substantially the whole of any such improvement and its appurtenances, and the furnishing of all the equipment required for the operation thereof, such improvement as so constructed to be and become the property of the said city, and to be paid for by the city to any such person, firm or corporation so constructing the same at such times and in such manner as may be provided by the terms of such contract. Any such improvement and all appurtenances and equipment so constructed and furnished may be leased to the person, firm or corporation which shall have so constructed and furnished the same for a term or term of years, for such consideration and upon such conditions and terms as may be agreed upon by said board of harbor commissioners with such person, firm or corporation, subject to the approval of the board or body having control of the finances of such city. Said contract or agreement may provide that the equipment aforesaid shall be the property either of the city or of the lessee, and the same shall be dealt with in the manner specified in such contract.

Equipping.

All improvements may be leased.

Terms.

Ownership of equipment.

Such city shall have the same degree of control over any such structure or improvement as in the case of the construction of the same, provided in section four of this act, but subject to the terms of any such contract, agreement or lease, and such board, subject to the approval of the board or body having control of the finances of such city, may enter into an agreement with any railroad company or companies for the construction of a siding or connecting railway from any such improvement or the various parts thereof to any of the tracks of any such railroad company or companies or any other railroad company or companies, and for that purpose the said city or such railroad company or companies are hereby authorized to acquire lands by purchase or condemnation, and to construct any such siding

Control.

Arrange for railroad facilities.

or connecting railway, subject, however, to the provisions of sections five, seven and ten of this act.

**Extensions.**

Additions, extensions and improvements to any such structure or improvement provided for by this act may be made by the said board of harbor commissioners, subject to the approval of the board or body having control of the finances of such city, from time to time, and the city may issue additional bonds to defray the cost of expense thereof, subject to the terms of sections four, five and ten of this act. All or any such additions, extensions and improvements may be constructed and leased in the manner hereinbefore provided.

**Additional bond issue.**

**Section 10 amended.**

3. That section ten of said act be and the same is hereby amended to read as follows:

**Bond issue.**

10. Whenever, from time to time, said board or body having control of the finances of any such city shall deem it advisable to issue any bonds, they may, by resolution, provide for the issuance and sale thereof in such amounts as to said board or body may seem advisable.

**How designated.**

The said bonds shall be designated on their face "Harbor Improvement Bonds." Such bonds shall be issued under the provisions of an act entitled "An act to authorize and regulate the issuance of bonds and other obligations, and incurring of indebtedness by county,

**Provision for issue.**

city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen. The proceeds resulting from the sale of such bonds shall be appropriated by such board or body for, or applied to, the payment and discharge of any expenses or obligations of such city theretofore or thereafter incurred in dredging, excavating and filling in any lands under water, riparian lands, or uplands contiguous to the water front, constructing, rebuilding, altering, repairing and maintaining wharves, piers, docks, slips, basins, bulkheads, retaining walls and similar structures and warehouses, sheds and other improvements thereon, and approaches thereto, the improvement of the harbor and channels opposite the water front, the acquisition of lands under water, riparian lands or rights and uplands or rights or interests therein, and

**Use of proceeds.**

any other work or improvement authorized by this act. The purchasers of said bonds shall not be bound to inquire as to the necessity for the issuance thereof nor as to the application of the proceeds.

4. This act shall take effect immediately.

Approved March 29, 1917.

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### CHAPTER 235.

A Supplement to an act entitled "An act in relation to county expenditures," approved April second, one thousand eight hundred and seventy-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. If in any county of this State the board of chosen freeholders of such county has heretofore failed to appropriate the moneys necessary for the payment of the expenses of elections, courts, District Courts, State hospitals, widows' pensions, hospitals for the insane, hospitals for contagious diseases, almshouses, penitentiaries, court houses and jails, repairs to roads and bridges, or New Jersey State Board of Children's Guardians, or any or either of them, or if the amounts heretofore appropriated for such expenses, or any or either of them, has or have been, or shall be, exceeded, the board of chosen freeholders of any such county may raise the money wherewith to pay such deficiency or deficiencies by adding the amount thereof to the appropriations for the current year, and the same shall be raised by taxation in the same manner as said amount would have been raised according to law if they had been appropriated and raised in the year in which such deficiency or deficiencies occurred, or by the issuance of a temporary loan bond or bonds to an aggregated principal sum not exceeding the total amount of such deficiency or deficiencies.

Meeting deficiencies.

By taxation or bond issue.

Time and  
rate of bonds.

2. All temporary loan bonds issued under this act shall run for a term not exceeding two years from the date thereof; such bonds shall bear interest at a rate not exceeding five per centum per annum, and shall be sold at either public or private sale, in the discretion of such board, but for not less than par.

Provision for  
principal and  
interest.

3. To meet the payment of such bond or bonds as it matures, or they mature, such board shall, in each year thereafter, in making up its appropriations, insert therein and place in the tax levy a sum sufficient to pay the principal of such of said bonds as mature during the fiscal year, and likewise insert therein a sum sufficient to pay the interest annually on such of said bonds as are then outstanding.

4. This act shall take effect immediately.

Approved March 29, 1917.

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## CHAPTER 236.

An Act to amend an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 24  
amended.

1. That section twenty-four of the act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thou-

sand nine hundred and eight, be and the same is hereby amended to read as follows:

24. No officer, clerk or employee in the classified civil service shall be removed, discharged, reduced in pay or position, or otherwise discriminated against because of his religious or political opinions or affiliations. Further, no officer, clerk or employee holding a position in the non-competitive class of the classified civil service shall be removed, discharged or reduced, except as provided by section seventeen of this act as to probationers, until he shall have been furnished with a written statement of the reasons for such action and been allowed a reasonable time in which to make written answer thereto. In every case of such removal, discharge or reduction a copy of the statement or reasons therefor and the answer thereto shall be furnished to the Civil Service Commission and entered upon the records of said commission, and upon the records of the department or office in which the discharged, removed or reduced person was or is employed.

Removals, reductions, etc.

Furnished with written statement of charges.

Charges and answer filed with commission.

No officer, clerk or employee holding a position in the competitive class of the classified civil service shall be removed, discharged, fined or reduced, except as provided by section seventeen of this act as to probationers, until he shall have been furnished with a written statement of the reasons for such action and been allowed a reasonable time in which to make written answer thereto, and without order of the Civil Service Commission as hereinafter provided. In every case where such removal, discharge, fine or reduction of an officer, clerk or employee in the competitive class of the classified service is sought to be made, a copy of the statement or reasons therefor and the answer thereto with the consequent action of the appointing board or appointing officer thereon shall forthwith be furnished to the Civil Service Commission and entered upon the records of said commission, and upon the records of the department or office in which such officer, clerk or employee in the competitive class, sought to be removed, discharged, fined or reduced, and such person so sought to be removed, discharged, fined or reduced

Reasons for removal furnished.

Statement filed.

Time and  
rate of bonds.

2. All temporary loan bonds issued under this act shall run for a term not exceeding two years from the date thereof; such bonds shall bear interest at a rate not exceeding five per centum per annum, and shall be sold at either public or private sale, in the discretion of such board, but for not less than par.

Provision for  
principal and  
interest.

3. To meet the payment of such bond or bonds as it matures, or they mature, such board shall, in each year thereafter, in making up its appropriations, insert therein and place in the tax levy a sum sufficient to pay the principal of such of said bonds as mature during the fiscal year, and likewise insert therein a sum sufficient to pay the interest annually on such of said bonds as are then outstanding.

4. This act shall take effect immediately.

Approved March 29, 1917.

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## CHAPTER 236.

An Act to amend an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 24  
amended.

I. That section twenty-four of the act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thou-



sand nine hundred and eight, be and the same is hereby amended to read as follows:

24. No officer, clerk or employee in the classified civil service shall be removed, discharged, reduced in pay or position, or otherwise discriminated against because of his religious or political opinions or affiliations. Further, no officer, clerk or employee holding a position in the non-competitive class of the classified civil service shall be removed, discharged or reduced, except as provided by section seventeen of this act as to probationers, until he shall have been furnished with a written statement of the reasons for such action and been allowed a reasonable time in which to make written answer thereto. In every case of such removal, discharge or reduction a copy of the statement or reasons therefor and the answer thereto shall be furnished to the Civil Service Commission and entered upon the records of said commission, and upon the records of the department or office in which the discharged, removed or reduced person was or is employed.

Removals, reductions, etc.

Furnished with written statement of charges.

Charges and answer filed with commission.

No officer, clerk or employee holding a position in the competitive class of the classified civil service shall be removed, discharged, fined or reduced, except as provided by section seventeen of this act as to probationers, until he shall have been furnished with a written statement of the reasons for such action and been allowed a reasonable time in which to make written answer thereto, and without order of the Civil Service Commission as hereinafter provided. In every case where such removal, discharge, fine or reduction of an officer, clerk or employee in the competitive class of the classified service is sought to be made, a copy of the statement or reasons therefor and the answer thereto with the consequent action of the appointing board or appointing officer thereon shall forthwith be furnished to the Civil Service Commission and entered upon the records of said commission, and upon the records of the department or office in which such officer, clerk or employee in the competitive class, sought to be removed, discharged, fined or reduced, and such person so sought to be removed, discharged, fined or reduced

Reasons for removal furnished.

Statement filed.

Board must  
approve action.

If investiga-  
tion not asked.

Investigation.

Notice.

Hearing.

Evidences.

If disapproved,  
order void.

shall at once be notified in writing of the action taken on such charges and answer. No action of any officer or board ordering or directing the removal, discharge, fine or reduction of any officer, clerk or employee in the competitive class of the classified service shall become operative or take effect until approved by order of the Civil Service Commission. If, however, such person so ordered or directed to be removed, discharged, fined or reduced shall not, within ten days after notification, as aforesaid, apply to the Civil Service Commission for an investigation of the charges on which such order of removal, discharge, fine or reduction is based, under such rules as the Civil Service Commission shall prescribe, said order of removal, discharge, fine or reduction may be approved, as, of course, without hearing or investigation. If such person so, as aforesaid, ordered to be removed, discharged, fined or reduced shall, within ten days after notification, as aforesaid, apply for investigation of the charges, as aforesaid, by the Civil Service Commission, said commission shall fix a time and place for a hearing of the case of which written notice shall be served upon the appointing officer or board and the person sought to be removed, discharged, fined or reduced, at least five days prior to the hearing, and at least five days prior to the hearing and at the hearing the respective parties may be represented by counsel, and the commission shall hear witnesses and receive all other competent evidence produced, and determine the case upon such evidence as may be presented, and shall have power to compel, by subpoena, the attendance of witnesses and production of evidence. If, on such hearing, the Civil Service Commission shall disapprove of such order of removal, discharge, fine or reduction the same shall be and remain of no effect. The Civil Service Commission may, if in its opinion the provisions of this act have not in the matter of such order for removal, discharge, fine or reduction been fully complied with, or if an affidavit that they have been violated shall be presented, of its own motion direct such hearing and approve or disapprove, as the case may be, such order of removal, discharge, fine or re-

duction, the same as if an application for investigation had been made, as aforesaid. Nothing in this act shall limit the power of any officer or board to suspend a subordinate for a reasonable period, not exceeding thirty days, except on a charge for a criminal offense in which case the suspension may exceed said period of thirty days; *provided, however*, that successive suspensions are not to be allowed without special permission from the Civil Service Commission.

Suspensions.

Proviso.

Any officer, clerk or employee of the non-competitive class of the classified civil service removed, discharged or reduced, as aforesaid, shall have the right of appeal to the Civil Service Commission under such rules as said commission shall prescribe, and if such appeal shall be made in accordance with said rules, the Civil Service Commission shall proceed to investigate and hear the charges on which such removal, discharge or reduction was based, in the manner hereinabove provided for a hearing in the case of an officer, clerk or employee of the competitive class, and if on said hearing the Civil Service Commission shall disapprove of such removal, discharge or reduction, it shall make an order for the reinstatement of such officer, clerk or employee in his place in the non-competitive class of the classified civil service, and he shall forthwith be reinstated in accordance with said order.

Appeal may be taken.

Investigation by commission.

Reinstatement.

Nothing in this act shall be construed to alter, amend or in anywise change or affect the laws of the State respecting the police or fire departments in any municipality, and regulating the tenure and terms of officers and employees in said departments; *provided, however*, that nothing herein contained shall be construed as denying any officer or employee of police or fire departments the right of an appeal to the Civil Service Commission in the manner as herein provided.

Firemen and police not affected.

Proviso.

Nothing in this act contained shall be construed to limit, amend or repeal the provisions of section seventeen of the civil service law as to probationers.

Probationers not affected.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect the first day of January, one thousand nine hundred and eighteen.

Repealer.

Approved March 29, 1917.

## CHAPTER 237.

An Act to amend an act entitled "A supplement to an act entitled 'An act to tax the transfer of property of resident and nonresident decedents by devise, bequests, descent, distribution by statute, gift, deed, grant, bargain and sale in certain cases,' approved April twentieth, one thousand nine hundred and nine," approved March twenty-sixth, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act designated in the title of this act is hereby amended to read as follows:

Appointments  
of appraisers  
subject to  
civil service.

1. The Comptroller of the Treasury shall appoint all the appraisers and employees necessary to carry out the provisions of the act to which this act is a supplement, subject always to the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the amendments thereof and supplements thereto.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved March '29, 1917.

## CHAPTER 238.

An Act to amend an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one hundred and seven of the act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, is hereby amended so that said section shall read as it is with the interlineation: Section 107 amended.

107. Murder which shall be perpetrated by means of poison, or by lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or which shall be committed in perpetrating or attempting to perpetrate any arson, burglary, rape, robbery or sodomy, shall be murder in the first degree; and all other kinds of murder shall be murder in the second degree; and the jury before whom any person indicted for murder shall be tried shall, if they find such person guilty thereof, designate by their verdict whether it be murder in the first degree or in the second degree; and in no case shall the plea of guilty be received upon any indictment for murder; and if, upon arraignment, such plea of guilty should be offered, it shall be disregarded, and the plea of not guilty entered, and a jury, duly empaneled, shall try the case in manner aforesaid; *provided*, nothing herein contained shall prevent the accused from pleading non vult or nolo contendere to such indictment; the sentence to be imposed, if such plea be accepted, shall be either imprisonment at hard labor for life or the same as that imposed upon a conviction of murder in the second degree. Degrees of murder.

2. This act shall take effect immediately. Plea.

Approved March 29, 1917. Proviso.

Sentence.

## CHAPTER 239.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for assistant prosecutors in the several counties of this State,' approved March fifteenth, one thousand nine hundred and five."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 3  
amended.

Salaries of  
assistant  
prosecutors.

Section three of the act to which this is an amendment is hereby amended so as to read as follows:

3. In counties which now have or hereafter may have a population of more than eighty thousand and not more than ninety-five thousand inhabitants, the assistant prosecutor shall receive an annual salary of one thousand five hundred dollars; in counties which now have or hereafter may have a population of more than one hundred thousand and not more than one hundred and thirty-five thousand inhabitants, the assistant prosecutor shall receive an annual salary of two thousand five hundred dollars; in counties which now have or hereafter may have a population of more than one hundred and thirty-five thousand inhabitants and not more than two hundred thousand inhabitants, the assistant prosecutor shall receive an annual salary of three thousand dollars; and in counties which now have or hereafter may have a population of more than two hundred thousand inhabitants, the assistant prosecutor shall receive an annual salary of five thousand dollars.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 240.

An Act to amend an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and constituting chapter two hundred and fifty-two of the pamphlet laws of one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this act is amendatory is hereby amended to read as follows:

Section 1  
amended.

1. Any county, city, borough, village, town or township, or any municipality governed by an improvement commission in this State, hereinafter called a municipality, shall have power under this act to borrow money and issue its negotiable bonds to pay for any improvement or property which it is or may be authorized or required by law to make or acquire or for any other purpose which it is authorized or required by law to undertake or for which it is authorized or required by law to make an appropriation, or to refund bonds as provided in section five, or for two or more such purposes, including the funding of temporary indebtedness incurred or hereafter incurred for any such purpose or purposes, provided that no bonds shall be issued hereunder to pay for current expenses, or to fund any indebtedness hereafter incurred therefor, and provided that no bonds may be issued (except under section thirteen) for an improvement or property, any part of the cost of which is to be specially assessed against property specially benefited (as shown by any unpealed ordi-

Power to borrow and issue  
bonds.

Refunding.

Proviso.

## CHAPTER 239.

An Act to amend an act entitled "An act to amend an act entitled 'An act to provide for assistant prosecutors in the several counties of this State,' approved March fifteenth, one thousand nine hundred and five."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 3  
amended.

Salaries of  
assistant  
prosecutors.

Section three of the act to which this is an amendment is hereby amended so as to read as follows:

3. In counties which now have or hereafter may have a population of more than eighty thousand and not more than ninety-five thousand inhabitants, the assistant prosecutor shall receive an annual salary of one thousand five hundred dollars; in counties which now have or hereafter may have a population of more than one hundred thousand and not more than one hundred and thirty-five thousand inhabitants, the assistant prosecutor shall receive an annual salary of two thousand five hundred dollars; in counties which now have or hereafter may have a population of more than one hundred and thirty-five thousand inhabitants and not more than two hundred thousand inhabitants, the assistant prosecutor shall receive an annual salary of three thousand dollars; and in counties which now have or hereafter may have a population of more than two hundred thousand inhabitants, the assistant prosecutor shall receive an annual salary of five thousand dollars.

2. This act shall take effect immediately.

Approved March 29, 1917.



## CHAPTER 240.

An Act to amend an act entitled "An act to authorize and regulate the issuance of bonds and other obligations and the incurring of indebtedness by county, city, borough, village, town, township or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and constituting chapter two hundred and fifty-two of the pamphlet laws of one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

I. Section one of the act to which this act is amendatory is hereby amended to read as follows:

Section 1  
amended.

I. Any county, city, borough, village, town or township, or any municipality governed by an improvement commission in this State, hereinafter called a municipality, shall have power under this act to borrow money and issue its negotiable bonds to pay for any improvement or property which it is or may be authorized or required by law to make or acquire or for any other purpose which it is authorized or required by law to undertake or for which it is authorized or required by law to make an appropriation, or to refund bonds as provided in section five, or for two or more such purposes, including the funding of temporary indebtedness incurred or hereafter incurred for any such purpose or purposes, provided that no bonds shall be issued hereunder to pay for current expenses, or to fund any indebtedness hereafter incurred therefor, and provided that no bonds may be issued (except under section thirteen) for an improvement or property, any part of the cost of which is to be specially assessed against property specially benefited (as shown by any unrepealed ordi-

Power to borrow and issue bonds.

Refunding.

Proviso.

nance or resolution so providing) until such assessments have been confirmed.

Section 2  
amended.

2. Section two of the act to which this act is amendatory is hereby amended to read as follows:

Bond issue.

2. (1) The body or board, by whatsoever name it may be known, having charge of the finances of any such municipality, herein called the governing body thereof, shall have power by ordinance to authorize the issuance of bonds under this act, except that the governing body of any county may authorize such bonds by resolution. Such ordinance or resolution shall be adopted by a majority vote of all the members of the governing body and shall state the purpose or purposes to which the money to be raised thereby is to be applied, and the amount of money necessary to be raised therefor. It shall authorize such bonds in a definite amount, not exceeding the amount so stated, and fix the rate of interest (not exceeding six per centum per annum), the date thereof; the maturities thereof and the denominations thereof. Such ordinance or resolution shall also determine and declare the following matters, including the matters stated in clauses (b), (c) and (d) only in case section twelve requires that a supplemental debt statement be filed prior to the introduction of such ordinance or resolution.

Purposes  
stated.

Amount, rate,  
maturity.

Statement:

Period of  
usefulness:

(a) The probable period, as determined by the governing body or by the architect or engineer in charge of the improvement, within the limitations of section four, of the usefulness of the property or improvement for which bonds are to be issued. In the case of refunding bonds or bonds to fund a debt heretofore incurred for purposes which cannot be ascertained, the period shall be declared within which such bonds should be paid not exceeding in the case of refunding bonds twenty years or in the case of such funding bonds fifteen years. In the case of bonds to be issued for that part of the cost of a property or improvement which has been specially assessed on property specially benefited a period shall be declared within which such bonds should be paid computed from the date of the bonds not exceeding by more than two years the time when the

last installment of such assessment will become delinquent. In case bonds are to be issued for several purposes the average of the different periods of usefulness or of the other periods above described shall be declared taking into consideration the amount of the bonds to be issued on account of the several purposes. No bonds shall be issued for the purpose of paying that part of the cost of properties or improvements which has been assessed on property specially benefited and for other purposes as well, and the title of bonds to pay such part of such cost on the face thereof shall include the word "assessment."

(b) The average assessed valuation of the taxable real property (including improvements) of such municipality computed upon the next preceding three valuations thereof in the manner provided in section twelve.

Average assessed value;

(c) The net debt of the municipality computed in the manner provided in section twelve.

Net debt;

(d) That the statement required by section twelve of this act has been made and filed as herein required.

Financial statement.

The said ordinance or resolution shall be attested by the clerk and shall be published once in the manner prescribed by section eleven hereof, and no other publication or posting shall be required.

The clerk shall publish with such ordinance or resolution a statement in substantially the following form:

Ordinance tested and published.

The foregoing (ordinance or resolution) was (adopted or approved) on the ..... day of ..... , 19.....

Statement accompanying publication.

The bonds authorized thereby will be issued and delivered after the ..... day of ..... , 19..... (specifying a day not less than twenty days after the first publication), and any suit, action or proceeding to set aside or vacate this (ordinance or resolution) must be begun within twenty days after the publication of this statement.

(2) In the case of any borough or township there shall be added to the statement published as aforesaid substantially the following statement:

Further statement.

Such bonds will not be issued if protests against the same are filed under section nine (Chapter 252, P. L.

Issuing bonds against protest.

1916), as amended, unless a proposition for the issuance thereof shall be adopted at an election under said section.

Presumption  
that ordinance  
complied with.

(3) After twenty days after the publication of a statement signed by the clerk of any such municipality, substantially in the form prescribed by this section two, stating that an ordinance or resolution in a form published therewith has been adopted or approved, as the case may be, such ordinance or resolution shall be conclusively presumed to have been duly and regularly passed and to comply with the provisions of this or any other act, and the validity of said ordinance or resolution, or of any bond issued in accordance therewith, unless issued in violation of section nine, shall not thereafter be questioned by either a party plaintiff or a party defendant except in a suit, action or proceeding commenced prior to the expiration of such twenty days.

Validity of  
bonds.

Other proceed-  
ings may be  
taken.

The governing body may take or cause to be taken any further proceedings necessary to issue said bonds prior to or after the date specified in a statement as aforesaid.

Section 3  
amended.

3. Section three of the act to which this act is amendatory is hereby amended to read as follows:

Maturity of  
bonds in in-  
stallments.

3. All bonds hereafter issued by any such municipality shall mature in annual installments commencing not more than two years from their date, and no installment shall be more than fifty per centum in excess of the amount of the smallest prior installment.

Section 4  
amended.

4. Section four of the act to which this act is amendatory is hereby amended to read as follows:

Bonds to ma-  
ture within  
period named.

4. (1) All such bonds shall mature within the period declared in the ordinance or resolution authorizing them as provided in section two, subsection (1), subdivision (a).

Years of  
usefulness:

(2) The probable period of usefulness of any property or improvement shall not be deemed for the purpose of the declaration in the ordinance authorizing bonds to exceed the following number of years for the following classes of property or improvement or purpose.

(A) The acquisition or construction or reconstruction of a sewer system (either sanitary or surface drainage, including purification or disposal plants) or any part thereof, or buildings, land or rights in land therefor including or not including the original furnishing, or equipment, or machinery, or apparatus, or any or all of such items, forty years. Sewer system;

(B) The acquisition or construction or reconstruction of gas systems, or any part thereof, or buildings, land or rights in land therefor, including or not including the original furnishing, or equipment, or machinery, or apparatus, or any or all of such items, thirty years. Gas system;

(C) The acquisition or construction or reconstruction of water supply systems or any part thereof, or buildings, land or rights in land therefor, including or not including the original furnishing, or equipment, or machinery, or apparatus, or any or all of such items, forty years. Water-supply system;

(D) The acquisition or construction or reconstruction of an electric light or power system, or any part thereof, or buildings, land or rights in land therefor, including or not including the original furnishing, or equipment or machinery, or apparatus, or in any or all of such items, twenty years. Electric system;

(E) The acquisition or construction or reconstruction of a plant for the incineration or disposal of ashes, or garbage, or refuse, or any part thereof, or buildings, land or rights in land therefor, including or not including the original furnishing, or equipment, or machinery, or apparatus, or any or all of such items, ten years. Crematory plant;

(F) Acquiring land for public parks, whether including or not including a playground as part thereof, or the original improving and embellishing of the same, or constructing buildings therefor, or original furnishings, or equipment, or machinery, or apparatus therefor, or any or all of such items, fifty years. Parks;

(G) Acquiring land for playgrounds, whether including or not including original improving and embellishing of the same or constructing buildings therefor, or original furnishings, or equipment, or machinery, or Playgrounds;

apparatus therefor, or any or all of such items, shall mature in not exceeding thirty years.

Land;

(H) Acquiring land not included in other subdivisions of this section four, forty years.

Buildings;

(I) The acquisition or construction of buildings not included in other subdivisions of this section four, whether including or not including the land therefor, or whether including or not including the original furnishings, or equipment, or machinery, or apparatus required for the purposes for which such buildings are to be used, if such buildings be:

Wooden structures;

(a) Of frame construction, that is, a building of which the exterior walls or a portion thereof shall be constructed of wood; or a building sheathed with boards and partially or entirely covered with four inches or less of masonry or with metal sheets, twenty years.

Non-fireproof structures;

(b) Of non-fireproof construction, that is, a building the outer walls of which are constructed in accord with the specifications contained in clause (c) of this subdivision for a fireproof building, but which fail to conform with any of the other specifications for a fireproof building as defined in clause (c), thirty years.

Fireproof structures;

(c) Of fireproof construction, that is, a building the walls of which are constructed of brick, stone, iron or hard incombustible materials, and in which there are no wood beams or lintels, and in which the floors, roofs, stair halls and public halls are built entirely of brick, stone, iron or other hard incombustible materials and in which no woodwork or other inflammable material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair halls, and entrance halls, wooden flooring on top of the fireproof floor, or wooden sleepers, wooden handrails and treads, if made of hard wood not less than two inches thick, forty years.

Additions to buildings;

(J) Construction of an addition or additions to buildings or for the reconstruction of buildings, if not included in any other subdivision of this section four, if the building to which such addition is made or to be reconstructed is a building:

a. Of the character described in subdivision I, clause (a), fifteen years.

b. Of the character described in subdivision I, clause (b), twenty years.

c. Of the character described in subdivision I, clause (c), thirty years.

(K) The construction or reconstruction of bridges (including retaining walls and approaches), of stone, concrete or iron construction, or of a combination of any or all of these materials, thirty years. Bridges;

(L) Constructing or reconstructing the pavement of roads, streets or highways, or widening such pavement, whether including or not including sidewalks, or curbs, or gutters, or drainage, if such pavement. Roads or streets;

(a) Is constructed of sand and gravel, five years. Nature of surface:

(b) Is of water-bound macadam or penetration process, ten years.

(c) Is of bituminous concrete construction, fifteen years.

(d) Is of blocks of any material or of sheet asphalt, laid on concrete foundation, twenty years.

(e) Is of concrete construction not less than six inches thick, twenty years.

(M) The acquisition of land for roads, for streets or for highways, or eliminating curves, or grading or any or all of such purposes, whether including or not including culverts, bridges or retaining walls, or surface, or subsurface drainage, thirty years. Acquisition of land;

(N) The construction of curbs, or sidewalks, or gutters of brick, stone or concrete, or for any or all of such purposes, ten years. Curbing, sidewalks, etc.;

(O) The installation of fire or police alarms, telegraph or telephone service, or other system of communication for municipal use, thirty years. Police and fire alarm system;

(P) The purchase of fire engines, fire trucks, hose carts or other vehicles, for use in the fire department, or for ambulances, patrol or other vehicles for use by the police department, or vehicles for use in any other department of the municipality, or the use of municipal officials, ten years. Fire and police apparatus;

Cemeteries:

(Q) The purchase of land for cemeteries, including or not including the improvement thereof, thirty years.

Sewer, gas,  
water pipes;

(R) The construction of sewer, water, gas or other service connections from the service main in the street to the curb or property line, when said work is done by the municipality in connection with any permanent improvement of or in any street, five years.

Abolishing  
grade cross-  
ings;

(S) The elimination of any grade crossing or crossings, or improvements in connection therewith, or for any part thereof, fifty years.

Other neces-  
saries;

(T) Equipment, apparatus or furnishing, not included in other subdivisions of this section four, ten years.

Other pur-  
poses.

(U) Any purpose or purposes not included in any of the foregoing subdivisions (A) to (T), inclusive, forty years.

Computing  
period of use-  
fulness.

(3) The maximum probable period of usefulness stated in subdivision (2) of this section shall be computed from the date of the bonds unless such bonds be dated more than one year after the date or the estimated date of the completion of the improvement or the acquisition of the property for which they are issued, in which case such period shall be computed from one year from such date or estimated date of completion or acquisition.

Determination  
of governing  
body conclu-  
sive.

(4) The determination of the governing body as to the classification of purposes as herein stated for which bonds are issued and as to the probable period of the usefulness of any improvement or property, and as to the maturities of the proposed bonds based thereon, shall, upon a majority vote of all the members of such body in office, be conclusive in any action or proceeding involving the validity of said bonds.

Section 5  
amended.

5. Section five of the act to which this act is amendatory is hereby amended to read as follows:

If funds in-  
sufficient to  
pay outstand-  
ing bond.

5. If any such municipality shall have outstanding when this act takes effect, any bonds, the fund or funds on hand for the payment of which at maturity or at the time such bonds may be called for payment will be insufficient to pay same, then such portion of such bonds



as cannot be paid with the fund or funds on hand may be refunded under this act by new bonds.

Refund.

6. Section six of the act to which this act is amendatory is hereby amended to read as follows:

Section 6 amended.

6. (1) All bonds issued under this act shall be sold at not less than par, and unless the amount thereof authorized is ten thousand dollars or less, they shall be sold upon sealed proposals or at public auction after ten days' notice of such sale published at least once, as required by section eleven, and also at least once in a financial paper published in New York city or Philadelphia, Pennsylvania.

Sale of bonds.

Such notice shall state the terms of sale of such bonds and shall require all bidders to deposit a certified check for two per centum of the amount of bonds bid for, drawn upon an incorporated bank or trust company, to secure the municipality against any loss resulting from the failure of the bidder to comply with the terms of his bid. In the case of a public sale or auction the governing body may delegate its power to award or to reject bids to a committee or to a financial officer. If no bids are received for any bonds advertised to be sold at public sale herein, they may, within thirty days thereafter, be sold at private sale, but such sales shall be made or confirmed by resolution of the governing body adopted by a two-thirds vote of all the members thereof. Any such municipality may, by a two-thirds vote of the governing body thereof, sell to the sinking fund of such municipality any issue, or any part of an issue, of such bonds at private sale at not less than par.

Notice of sale.

Private sale.

Sale to sinking fund.

(2) Bonds of an issue may be offered for sale all at one time or in installments each of which with the previous installments shall mature within the terms of section three. If an installment is to be sold, a resolution shall be adopted stating the amount of money necessary to be raised at such sale, which, together with all amounts produced by the sale of previous installments, shall not exceed the amount stated to be necessary in the ordinance authorizing the bonds. No more bonds shall in any event be sold than will produce the amount necessary to be raised (as stated in the ordinance or

Sale at one time or in installments.

Amount to be sold.

Notice of  
sale what to  
state.

resolution authorizing the bonds when all bonds are offered for sale, or in the resolution required by this subsection when an installment is to be offered for sale) and an additional sum of less than one thousand dollars. The notice of sale shall state the amount necessary to be raised (as stated in said ordinance or resolution as the case may be) the face value (but not exceeding said amount necessary to be raised), the maturities and denominations of the bonds offered for sale and the rate of interest thereon. It shall also state that unless all bids are rejected said bonds will be sold to the bidder or bidders complying with the terms of sale and offering to pay not less than the amount necessary to be raised and to take therefor the least amount of the bonds offered for sale, commencing with the first maturity, and that if two or more bidders offer to take the same amount of such bonds, then to the bidder or bidders offering to pay therefor the highest additional price.

Section 12  
amended.

Statement of  
debt condi-  
tion made  
annually.

7. Section twelve of the act to which this act is amendatory is hereby amended to read as follows:

12. (1) The chief financial officer of each municipality shall make and file during the month of January of each year, in the office of the clerk of the municipality other than a county, and in the case of a county in the office of the clerk of the board of chosen freeholders, a statement of the debt condition of the municipality as of the thirty-first day of December of the preceding year, estimating the amount of any item which may be indefinite or unascertainable. Such statement shall be known as the Annual Debt Statement. Immediately upon the passage of this act the financial officer of each municipality shall file as above directed the annual debt statement as of the thirty-first day of December, one thousand nine hundred and sixteen. Whenever required by this act or when required by the governing body the chief financial officer of any municipality shall make and file as above directed any further debt statement or any supplemental debt statement as hereinafter provided, and all such debt state-

ments shall be under oath and shall be a public record open to public inspection. The annual debt statement shall set forth:

Debt statement to show:

A. The gross indebtedness of the municipality, inclusive of notes or bonds authorized but not issued, and obligations of the municipality held uncanceled in any sinking fund, exclusive of indebtedness incurred for current expenses of the current fiscal year and inclusive of notes or bonds or certificates of the municipality issued for school purposes other than for the current expenses of schools, but not including the indebtedness of a school district constituting a separate corporation.

Gross indebtedness;

Such gross indebtedness shall be itemized as follows:

Itemized.

(a) The bonded debt, including bonds authorized but not issued, stating separately: bonds payable or to be payable in whole or in part out of special assessments on property specially benefited; and bonds authorized or issued for each of the following purposes, insofar as separately authorized or issued for such purposes, namely, docks, water supply, electric light or power, gas, markets and any other purpose, from the carrying out of which the municipality derives revenue from rental or service; and bonds authorized or issued for school purposes and, in the case of counties, bonds authorized or issued for park purposes. In the case of bonds issued for school purposes and in the case of county bonds issued for park purposes the net bonded indebtedness only shall be stated after deducting sinking funds and funds in hand applicable thereto.

Bonded debt;

(b) Evidences of indebtedness other than bonds, including temporary notes or bonds issued under section thirteen, including such as have been authorized but not issued.

Other liabilities;

B. The deductions.

Such deductions shall be itemized as follows:

Deductions itemized;

(a) The amount of special assessments levied and uncollected, applicable to the payment of any part of the gross indebtedness not deducted under some other item hereof.

Special assessments uncollected;

(b) The amount, as estimated by resolution of the governing body, of special assessments to be levied for

Special assessments for improvements;

any improvement, which will be applicable to any part of the gross indebtedness not deducted under some other item hereof.

Amount incurred for sundry purposes;

(c) Indebtedness to an amount not exceeding three per centum of the average of the assessed valuation as stated in subdivision D hereof, incurred or authorized for any of the following purposes but not for the support or maintenance thereof, separately stated insofar as separately issued for such purposes, namely, for docks, electric light or power, gas, markets and any other purpose from the carrying out of which the municipality derives revenue from rentals or services rendered, the payment of the principal and interest of which indebtedness was adequately provided for from such revenue after deducting operating expenses during the previous fiscal year.

Water-supply;

(d) Indebtedness incurred or authorized for the supply of water.

School purposes;

(e) The net indebtedness incurred or authorized for school purposes to an amount not exceeding three per centum of the average assessed valuation as stated in subdivision D hereof.

County parks;

(f) In the case of counties, the net indebtedness incurred or authorized, for park purposes to the amount of one per centum of the average assessed valuations as stated in subdivision D hereof.

Cash and sinking fund;

(g) Funds in hand and sinking funds or such parts thereof as are held for the payment of any part of the gross indebtedness, other than that which is included in these deductions or which is otherwise deducted. Under this item shall be included the proceeds on hand of any bonds or notes held to pay any part of the gross indebtedness, and the estimated proceeds of bonds or notes which have been authorized if such estimated proceeds will be held for that purpose.

Proceeds of bonds or notes;

Current taxes;

(h) Amount, if any, included in the current taxes levied for the payment of any part of the gross indebtedness, other than that which is included in these deductions.

Arrears of taxes;

(i) Amount of unpaid taxes not more than three years in arrears.

(j) Indebtedness incurred or authorized for the construction or reconstruction of dikes, bulkheads, jetties or other devices, erected along the ocean or inlet fronts, and intended to prevent the encroachment of the sea, including the improvements to restore property damaged by the sea.

Improvements  
along ocean;

(k) Amounts owing by the State, by other municipalities, or by other persons or corporations, on account of that part of an improvement for which indebtedness has been incurred or authorized, and not deducted under any other item.

Certain  
amounts owing.

C. The net debt of the municipality or county, as the case may be, as determined by deducting the deductions stated in subdivision B from the gross debt stated in subdivision A.

Net debt.

D. The three next preceding assessed valuations of the taxable real property (including improvements) of the municipality and the average thereof.

Average pre-  
ceding valua-  
tions.

E. The percentage that the net debt as computed under subdivision C bears to the average of the assessed valuations computed under subdivision D.

Percentage  
of debt to  
valuation.

(2) Prior to the passage of any ordinance or resolution authorizing notes or bonds under this act the chief financial officer shall make and file a supplemental debt statement unless such notes or bonds are exclusively for the following purposes, namely: for funding (including the funding of interest accruing during the construction period); or for refunding; or for the supply of water; or for the construction or reconstruction of dikes, bulkheads, jetties or other devices erected along the ocean or inlet front and intended to prevent the encroachment of the sea, including improvements to restore property damaged by the sea. Such supplemental debt statement shall be computed as provided for the annual debt statement, and shall set forth:

Statement of  
debt made  
prior to pas-  
sage of ordi-  
nance.

A. The net debt of the municipality as stated in subdivision C of the annual debt statement last filed; the amount by which such net debt has been increased or decreased; the net debt at the time of the statement.

Supplemental  
statement to  
show:

Net debt;

B. The amounts and purposes separately itemized of the bonds or notes about to be authorized, together with

Amounts and  
purposes of  
issue;

the deduction which may be made on account of each such item.

Debt after increase;

C. The net debt of the municipality after the indebtedness to be authorized has been incurred.

Three preceding valuations;

D. The three next preceding assessed valuations of taxable real property (including improvements) of the municipality and the average thereof.

Percentage of debt to valuation;

E. The percentage that the net debt as computed under subdivision C bears to the average of the assessed valuations computed under subdivision D.

If percentage over certain figure;

(3) In case it appears that the percentage of the net debt as stated by subdivision E, of any supplemental debt statement exceeds seven per centum in the case of a municipality other than a county, or exceeds two per centum in the case of a county, the supplemental debt statement shall include the following subdivisions, namely:

Total amount of bonds and notes;

F. The total amount of all bonds and notes required to be stated as part of gross indebtedness issued and authorized since December thirty-first, one thousand nine hundred and sixteen (whether paid or outstanding, except bonds and notes issued in anticipation of the receipt of tax revenues), and the bonds or notes to be authorized.

Total deductions;

G. The total deductions (as provided to be made in the financial statement), which may be made on account of the bonds and notes, stated in subdivision F.

Net increased debt;

H. The difference between the amounts, stated in subdivisions F and G (hereinafter called the net increased debt).

Average assessed valuation for three years;

I. The average assessed valuation of taxable real property (including improvements) of the municipality for the years one thousand nine hundred and fourteen, one thousand nine hundred and fifteen and one thousand nine hundred and sixteen.

Percentage increase in debt;

J. The percentage that the net increased debt stated in subdivision H bears to the average assessed valuation, stated in subdivision I.

No ordinance if supplemental statement exceeds given sum.

(4) No ordinance or resolution, prior to the passage of which a supplemental debt statement must be filed, shall be passed if it appears from such supplemental

debt statement that the percentage of the net debt of a municipality other than a county as stated in subdivision E exceeds seven per centum, or in the case of a county if the percentage of the net debt as stated by subdivision E exceeds two per centum; *provided*, that notwithstanding the net debt as stated in subdivision E of any supplemental debt statement exceeds such percentages, such ordinance or resolution may, nevertheless, be passed if the percentage of the net increased debt as stated in subdivision J of any supplemental debt statement does not exceed two per centum in the case of a municipality other than a county, or one per centum in the case of a county. Proviso.

8. Section thirteen of the act to which this act is amendatory is hereby amended to read as follows: Section 13 amended.

13. Any municipality may temporarily finance the carrying out of any purpose for which it is herein authorized to issue bonds (including the payment of interest accruing during the construction period as defined in section one) by borrowing money and issuing from time to time temporary notes or temporary bonds, which shall state in general terms the purpose for which they are issued, and may from time to time renew the same. Such notes or bonds may be payable on demand or may mature in not exceeding six years from the date when the purpose for which they are issued has been carried out and may be subject to earlier call for payment, shall bear interest at not exceeding six per centum per annum, and shall be executed as herein provided for other bonds or in such other manner as the governing body may provide. Such notes or bonds shall be paid or funded within six years after the purpose for which they are issued has been carried out. Such notes or bonds shall be authorized by resolution which shall fix the maximum amount of such notes or bonds and the maximum rate of interest thereon. The other matters in respect thereof may be left to be determined by subsequent resolution or by the officials executing them or by a financial official. Such notes or bonds shall not be subject to the provisions of any other Temporary obligations.

Renewals.

When payable.

Rate.

Authorization.

section hereof, except section twelve and section fourteen and section fifteen.

Section 14  
amended.

9. Section fourteen of the act to which this act is amendatory is hereby amended to read as follows:

How construed:

14. This act shall be construed as follows:

Temporary  
indebtedness;

(a) In any case in which a municipality shall have applied or shall hereafter apply funds on hand, applicable to some other account, for the purpose of avoiding the necessity of borrowing at a time when funds are on hand, to a use for which bonds may be issued and such application shall hereafter be authorized by a resolution stating such purpose, then within the meaning of this act such application shall be deemed a temporary indebtedness owing to the account to which such funds were applicable.

Current expenses;

(b) Interest accruing during the construction period, that is to say the time when an improvement is under construction and six months thereafter, shall be deemed part of the cost of the improvement, and shall not be deemed current expenses.

Cost of improvement;

(c) All engineering and inspection costs, including a proper proportion of the compensation, salaries and expenses of engineering staff of the municipality, properly chargeable to any improvement as determined by the governing body or the estimated amount of such costs, shall be deemed part of the cost of an improvement. All costs and estimated costs of the issuance of bonds shall be deemed part of the cost of the improvement of the property or the carrying out of the purposes for which bonds are to be issued.

Issuance of  
bonds part  
of cost;

Outstanding  
debt;

(d) Any form of evidence of debt held uncanceled in any sinking fund shall, for the purposes of this act, be deemed outstanding.

Funding bonds  
part temporary  
indebtedness;

(e) Bonds issued to fund any form of temporary indebtedness shall, for the purpose of this act, be deemed issued for the purpose or purposes for which such temporary indebtedness was incurred if such purpose or purposes can be ascertained. The determination of the governing body as to the purposes for which any temporary indebtedness was incurred shall be conclusive for the purposes of this act.



(f) Bonds issued for the purpose of raising money to be paid to another corporation or to a board or body not part of the government of the municipality shall be deemed issued for the purpose or purposes to which such money is to be applied by such other corporation, board or body.

Bonds paid  
to outside  
body;

(g) The term "assessed valuation of taxable real property (including improvements)," as used herein, includes the assessed valuation of property within such municipality used for railroad or canal purposes of railroad and canal companies (generally known as second class railroad property) the taxes upon which are appropriated by law to the taxing district which such municipality constitutes, or in the case of a county the total assessed valuations of such property within the several taxing districts of said county.

Assessed  
valuation;

(h) The power to issue notes or bonds under this act shall not be dependent on nor affected by the validity or regularity of any proceedings relating to the authorization of the improvement, or the acquisition of the property or the purpose for which such notes or bonds are to be issued.

Power to issue  
notes;

(i) No bonds issued under this act shall be refunded.

Bonds not  
refunded.

(j) No municipality shall enter into any contract whatsoever, the cost of which is to be financed by the issuance of bonds or notes under this act, unless prior thereto there shall have been regularly adopted by the governing body of such municipality, an ordinance or resolution, as the case may be, authorizing an appropriation sufficient to meet the cost of carrying out the provisions of such contract.

Appropriation  
sufficient to  
meet cost  
of contract.

10. Section fifteen of the act to which this act is amendatory is hereby amended to read as follows:

Section 15  
amended.

15. This act shall take effect immediately, and shall supersede the provisions of all other laws relating to the subject matters hereof and except as otherwise expressly stated herein the limitations and conditions contained in other laws shall not apply to the notes and bonds issued hereunder; *provided, however*, that this act shall not affect or apply to the incurring of indebtedness or the

Act supersedes  
laws on subject  
matter.

Proviso.

issuance of bonds or other obligations for school purposes; or in anticipation of the collection of taxes levied or to be levied or in arrears, or for uncollected taxes represented by tax titles, or under laws enacted after January first, one thousand nine hundred and seventeen, but notwithstanding such laws enacted after January first, one thousand nine hundred and seventeen this act shall be deemed additional and cumulative authority for the issuance of notes or bonds; *provided, further*, that this act shall not prevent the issuance of bonds maturing as provided in a proposition for the issuance of said bonds adopted at an election of the qualified voters of any municipality held before July first, one thousand nine hundred and sixteen; *provided, further*, that in any borough or township, if a proposition for the issuance of bonds has been adopted at an election of qualified voters held prior to July first, one thousand nine hundred and sixteen, the provisions of section nine hereof shall not apply to such bonds.

Proviso.

Proviso.

Act does not apply to bonds or plan of financing in effect before this act.

11. This act shall take effect immediately, but shall not affect or apply to the issuance of notes or bonds authorized by an ordinance or resolution finally passed or approved prior to the date of the approval of this act, nor affect or apply to any improvement the plan of financing of which has been determined according to law by ordinance or resolution so passed or approved.

Approved March 29, 1917.

## CHAPTER 241.

An Act to amend an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building and in making certain improvements to land (Revision of one thousand eight hundred and ninety-eight)."

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The third section of the act of which this is an amendment be and the same is hereby amended as follows:

Section 3  
amended.

3. Whenever any master workman or contractor, or whenever any contractor under any master workman or contractor shall, upon demand, refuse to pay any person who may have furnished him material used in the erection of any such house or other building, or any sub-contractor, journeyman or laborer employed by him in erecting or constructing any building, the money or wages due to him, it shall be the duty of such journeyman, laborer, materialman or sub-contractor to give notice in writing to the owner or owners of such building and such master workman or contractor of such refusal, and of the amount due to him or them and so demanded, specifying said amount as nearly as possible, and the owner or owners of such building shall thereupon be authorized to retain the amount so due and claimed by such journeyman, laborer, materialman or sub-contractor out of the amount owing by him or them on the contract or that thereafter may become due from him or them on such contract for labor or material used in the erection of such building, giving the master workman or contractor and any contractor under any master workman or contractor written notice of such notice and demand, and if the same be not paid or settled by said master workman or contractor, or such contractor

In case of  
refusal of  
contractor to  
pay wages or  
for material.

Amount  
specified.

Payment by  
owner.

under any master workman or contractor, such owner or owners, on being satisfied of the correctness of said demand, shall pay the same, and the receipt of such journeyman, laborer, materialman or sub-contractor for the same shall entitle such owner or owners to an allowance therefor in the settlement of accounts between him and such master workman or contractor, or his representatives or assigns, as so much paid on account.

Section 4  
amended.

2. The fourth section of the act of which this is an amendment be and the same is hereby amended as follows:

In case con-  
tractor disputes  
claim.

4. When notices shall be served upon such owner or owners and such master workman or contractor by any journeyman, laborer or materialman under the third section of this act, and notice thereof shall have been given by such owner or owners to the master workman or contractor, or such contractor under any master workman or contractor as required by said section, and said master workman or contractor, or such contractor under any master workman or contractor, shall, within five days after receiving the notice aforesaid, notify in writing the journeyman, laborer or person who has furnished materials that he disputes his or their claim, and requests him or them to establish the same by judgment, the owner shall not pay the claim until it is so established; and the journeyman, laborer or person who has furnished materials shall forfeit all right to the money which may be due or may grow due to the contractor from the owner, unless he shall begin suit to establish his claim against the contractor, or such contractor under any master workman or contractor, within sixty days from the service by the contractor, or such contractor under any master workman or contractor, upon said journeyman, laborer or person who has furnished material or labor under the notice aforesaid; *provided*, the master workman or contractor, or such contractor under any master workman or contractor, shall notify the owner in writing that he has given the aforesaid notice to said journeyman, laborer or materialman.

Suit to estab-  
lish claim.

Proviso.

3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 29, 1917.

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## CHAPTER 242.

An Act to incorporate the borough of Sea Girt, in the county of Monmouth.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The inhabitants of that portion of the township of Wall, in the county of Monmouth, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of "The Borough of Sea Girt," and shall be governed by the general law of this State relating to boroughs.

Part of Wall township incorporated as Sea Girt.

2. The territorial limits of the said borough shall be as follows:

Boundaries of borough of Sea Girt.

Beginning at a point where the center line of Sea Girt avenue extended easterly intersects the low-water mark of the Atlantic ocean; thence northwesterly, along the center line of Sea Girt avenue, to the center of the public road from Belmar to Manasquan, otherwise known as the Long Branch road; thence northerly, along the center line of said public road, to the middle of Wreck pond; thence easterly, along the middle of Wreck pond, to the westerly end of the southerly boundary line of the borough of Spring Lake; thence easterly, along the said southerly boundary line of the borough of Spring Lake, to low-water mark of the Atlantic ocean; thence southerly, along the low-water mark of the Atlantic ocean, to the point or place of beginning.

Referendum.

Special election.

Notice of election.

Election, where and how conducted.

Register.

Notice of meeting of election board.

3. This act shall take effect immediately; *provided*, it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been accepted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within forty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; said election shall be held between the hours of six o'clock A. M. and seven o'clock P. M. on a day to be fixed by the township clerk of the township of Wall, in the county of Monmouth, at the store of M. A. Blakey, Sea Girt, N. J., in the county of Monmouth.

The clerk of said township shall cause public notice of the time, place and object of such election to be given by advertisement signed by himself and set up at least ten days prior to such election, and in at least ten public places within the said described territory, which said advertisement shall also be published once in a newspaper circulating within said described territory at least ten days prior to such election.

Said election shall be by ballot and shall be held at the store of M. A. Blakey, Sea Girt, N. J., aforesaid, at the time so appointed by the said township clerk, and shall be conducted by the present board of registry and election for the first election district of the township of Wall, in the county of Monmouth. The register of voters used at the last general election shall be used at said special election by the election board of the first election district of the said township of Wall; and said board shall meet on Tuesday preceding the said election at the said store of M. A. Blakey, aforesaid, from one o'clock P. M. to nine o'clock P. M., for the purpose of revising and correcting the registry list of the voters residing in the above-described territory and qualified to vote at said election, in the manner provided under the general election laws of this State. Public notice of such meeting shall be given by the said board of

registry and election at least ten days before said meeting, by advertisement set up in at least five public places in said above-described territory, which advertisement shall be signed by the members of the board of registry and election for the said first election district of the township of Wall, aforesaid.

4. The clerk of said township shall provide sample ballots for the said board of registry and election. The said board of registry and election shall mail a sample ballot, at least five days prior to said election, to every legal voter within the above-described territory. Sample ballots.

5. Upon the ballots provided for said election shall be printed the proposition with instructions to the voters in the following form: Question on ballot.

If you favor the proposition printed below make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto make an X mark in the square to the left of and opposite the word "No."

	Yes.	Shall an act entitled "An act to incorporate the borough of Sea Girt, in the county of Monmouth," be adopted?
	No.	

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes" it shall be counted as a vote in favor of said proposition. Voting.

If the voter shall make an X mark in black ink or black pencil in the square to the left of and opposite the word "No" it shall be counted as a vote against such proposition, and in case no mark shall be made in the square to the left of and opposite either the word "Yes" or "No" it shall not be counted as a vote either for or against such proposition.

The said officers holding said election shall immediately at its close certify in writing under their hands in duplicate the result thereof, one of which certificates shall be filed immediately with the clerk of the township Result.

Canvass by  
county board.

Statement  
filed.

of Wall, and one with the clerk of the county of Monmouth. The county board of elections shall proceed to canvass and determine the vote cast at said election at the time and in the manner provided by law, and a statement of the total result of said canvass shall be filed in the said county clerk's office, and the county clerk shall thereupon forward to the Secretary of State and the clerk of the township of Wall, respectively, a certified copy of such statement.

Approved March 29, 1917.

### CHAPTER 243.

An Act relating to the manufacture, keeping, storage, transportation and sale of explosives, and providing penalties for any violation of this act.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

#### DEFINITIONS.

"Explosives"  
and other  
terms defined

1. The term "explosive" or "explosives" whenever used in this act shall be held to mean and include any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion, that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb.

The word "magazine" as used herein means any building or other structure, other than a factory building, used for the storage of explosives.

The term "building" or "buildings" as used herein shall be held to mean and include only a building or buildings occupied in whole or in part as a habitation



for human beings, or any church, schoolhouse, railroad station, store or other building where people are accustomed to assemble.

The term "factory building" as used herein shall be held to mean any building or other structure (including rest and blending houses) in which explosives are manufactured or handled, excepting magazines.

The term "railroad" as used herein shall be held to mean and include any steam, electric or other railroad which carries passengers for hire.

The term "highway" as used herein shall be held to mean and include any public street, public alley or public road.

The term "efficient artificial barricade" as used herein shall be held to mean an artificial mound or properly revetted wall of earth of a minimum thickness of not less than three feet at the top.

The term "person" as used herein shall be held to mean and include firms and corporations, as well as natural persons.

Words used in the singular number shall include the plural and the plural the singular.

2. Prohibitions and Exceptions.—No person shall manufacture, have, keep or store explosives in this State, except in compliance with this act, except that explosives may be manufactured without compliance with this act in experimental and analytical laboratories, permission for which has been obtained in writing from the Commissioner of Labor, or his authorized representative, in the laboratories of schools, colleges and similar institutions for the purpose of instruction and investigation.

Making or  
keeping ex-  
plosives.

It shall be unlawful to sell, give away or otherwise dispose of or deliver to any person under eighteen years of age any high explosives, whether said person is acting for himself or for any other person.

Not given  
minors.

3. Quantity and Distance Table.—All factory buildings and magazines in which explosives are had, kept or stored must be located at distances from buildings, railroads and highways in conformity with the following quantity and distance table, and this table shall be

Factories and  
magazines at  
distance from  
buildings, etc.

Proviso.

the basis on which applications for certificate of compliance, as provided in section nine hereof, shall be made and the certificates of compliance issued; *provided*, that the quantity and distance table may be disregarded and a certificate of compliance may be issued for two second-class magazines (see section seven) in any building not otherwise prohibited by law, if the contents and location of the magazine are as follows: (a) one second-class magazine containing not more than fifty (50) pounds of explosives may be allowed if the second-class magazine is placed on wheels and located not more than ten feet from and on the same floor with and directly opposite to the entrance on the floor nearest the street level; (b) one second-class magazine containing not more than five thousand (5,000) blasting caps may be allowed if the said second-class magazine is placed on wheels and located on the floor nearest street level. It shall be unlawful to store in any magazine more than thirty thousand (30,000) pounds of any explosive unless packed in containers, as provided in section six.

Maximum storage.

Quantity and distance table.

The quantity and distance table governing the manufacture, keeping and storage of explosives is as follows:

QUANTITY AND DISTANCE TABLE.

Column 1.				Column 2.	Column 3.	Column 4.
Quantity that may be had, kept or stored.				Distance from Nearest Building.	Distance from Nearest Railway.	Distance from Nearest Highway.
Blasting and Electric Blasting Caps.		Other Explosives.				
Number Over	Number Not Over	Pounds Over	Pounds Not Over	Feet.	Feet.	Feet.
1,000	5,000	...	...	30	20	10
5,000	10,000	...	...	60	40	20
10,000	20,000	...	...	120	70	35
20,000	25,000	...	50	145	90	45
25,000	50,000	50	100	240	140	70
50,000	100,000	100	200	360	220	110
100,000	150,000	200	300	520	310	150
150,000	200,000	300	400	640	380	190
200,000	250,000	400	500	720	430	220
250,000	300,000	500	600	800	480	240
300,000	350,000	600	700	860	520	260
350,000	400,000	700	800	920	550	280
400,000	450,000	800	900	980	590	300

Column 1.				Column 2.	Column 3.	Column 4.
Quantity that may be had, kept or stored.				Distance from Nearest Building.	Distance from Nearest Railway.	Distance from Nearest Highway.
Blasting and Electric Blasting Caps.		Other Explosives.				
Number Over	Number Not Over	Pounds Over	Pounds Not Over	Feet.	Feet.	Feet.
450,000	500,000	900	1,000	1,020	610	310
500,000	750,000	1,000	1,500	1,060	640	320
750,000	1,000,000	1,500	2,000	1,200	720	360
1,000,000	1,500,000	2,000	3,000	1,300	780	390
1,500,000	2,000,000	3,000	4,000	1,420	850	420
2,000,000	2,500,000	4,000	5,000	1,500	900	450
2,500,000	3,000,000	5,000	6,000	1,560	940	470
3,000,000	3,500,000	6,000	7,000	1,610	970	490
3,500,000	4,000,000	7,000	8,000	1,660	1,000	500
4,000,000	4,500,000	8,000	9,000	1,700	1,020	510
4,500,000	5,000,000	9,000	10,000	1,740	1,040	520
5,000,000	7,500,000	10,000	15,000	1,780	1,070	530
7,500,000	10,000,000	15,000	20,000	1,950	1,170	580
10,000,000	12,500,000	20,000	25,000	2,110	1,270	630
12,500,000	15,000,000	25,000	30,000	2,260	1,360	680
15,000,000	17,500,000	30,000	35,000	2,410	1,450	720
17,500,000	20,000,000	35,000	40,000	2,550	1,530	760
.....	.....	40,000	45,000	2,680	1,610	800
.....	.....	45,000	50,000	2,800	1,680	840
.....	.....	50,000	55,000	2,920	1,750	880
.....	.....	55,000	60,000	3,030	1,820	910
.....	.....	60,000	65,000	3,130	1,880	940
.....	.....	65,000	70,000	3,220	1,940	970
.....	.....	70,000	75,000	3,310	1,990	1,000
.....	.....	75,000	80,000	3,390	2,040	1,020
.....	.....	80,000	85,000	3,460	2,080	1,040
.....	.....	85,000	90,000	3,520	2,120	1,060
.....	.....	90,000	95,000	3,580	2,150	1,080
.....	.....	95,000	100,000	3,630	2,180	1,090
.....	.....	100,000	125,000	3,670	2,200	1,100
.....	.....	125,000	150,000	3,800	2,280	1,140
.....	.....	150,000	175,000	3,930	2,360	1,180
.....	.....	175,000	200,000	4,060	2,440	1,220
.....	.....	200,000	225,000	4,190	2,520	1,260
.....	.....	225,000	250,000	4,310	2,590	1,300
.....	.....	250,000	275,000	4,430	2,660	1,340
.....	.....	275,000	300,000	4,550	2,730	1,380

Maximum  
allowed.

4. Maximum Allowed.—No quantity in excess of three hundred thousand (300,000) pounds, or in the case of blasting caps no number in excess of twenty million (20,000,000) caps, shall be had, kept or stored in any factory building or magazine in this State.

Distance re-  
duced if pro-  
tection, natural  
or artificial,  
sufficient.

5. Reduction of Distance.—Whenever the building, railroad or highway to be protected is effectually screened from the factory building or magazine where explosives are had, kept or stored either by natural features of the ground or by efficient artificial barricade of such height that any straight line drawn from the top of any side wall of the factory building or magazine to any part of the building to be protected will pass through such intervening natural or efficient artificial barricade, and any straight line drawn from the top of any side wall of the factory building or magazine to any point twelve feet above the center of the railroad or highway to be protected will pass through such intervening natural or efficient artificial barricade, the applicable distances given in columns two, three and four of the quantity and distance table may be reduced one-half. The efficacy of all natural or artificial barricades shall be approved by the Commissioner of Labor or his authorized representative.

Explosives  
kept in con-  
tainers.

6. Containers.—Except only at a factory building, and except while being used, no person shall have, keep or store explosives at any place within this State unless such explosives are completely enclosed or encased in tight metallic, wooden or fibre containers, and, except while being transported, or used, or in the custody of a common carrier awaiting shipment or pending delivery to consignee during the time permitted by Federal law, explosives shall be kept and stored in a magazine constructed and operated as provided in section seven of this act, and no person having explosives in his possession or control shall, under any circumstances, permit or allow any grains or particles to be or remain on the outside or about the containers in which such explosives are held. All containers in which explosives are held shall be plainly marked with the name of the explosive contained therein.

Exceptions.

Particles not  
allowed on  
outside con-  
tainers.

7. Magazines.—Magazines in which explosives may lawfully be kept or stored shall be of two classes, as follows:

Two classes of magazines:

(a) Magazines of the first class shall consist of those containing explosives exceeding fifty pounds, and shall be constructed of brick, concrete, iron or wood with outside covering of iron, and shall have openings only for ventilation and entrance of a design approved by the Commissioner of Labor or his duly authorized representative. The doors of such magazine must at all times be kept closed and locked except when necessarily opened for the purpose of storing or removing explosives therein or therefrom, by persons lawfully entitled to enter the same. Every such magazine shall have sufficient openings for ventilation thereof, which must be screened in such manner as to prevent the entrance of sparks of fire through the same. Upon each end of such magazine, above the side walls thereof, or upon its barricade, there shall at all times be conspicuously posted a sign with the words "Magazine — Explosives — Dangerous" legibly painted in white paint with a black background thereon in letters not less than six inches high. No matches or fire or other flame-producing device of any kind, except electric incandescent flash lights, shall at any time be permitted in any such magazine. No package of explosives shall at any time be opened within fifty (50) feet of any magazine, nor shall an explosive be kept therein except in the original containers. Magazines in which more than fifty (50) pounds of explosives are kept and stored must be detached from other structures, and magazines where more than five thousand (5,000) pounds of explosives are kept and stored must be located at least two hundred (200) feet from any other magazine, and magazines where explosives over twenty-five thousand (25,000) pounds are kept and stored must have an increase over two hundred (200) feet of two and two-thirds ( $2\frac{2}{3}$ ) feet for each one thousand (1,000) pounds of explosives in excess of twenty-five thousand (25,000) pounds stored therein; *provided*, that where magazines are protected one from the other

First class; construction.

Notice posted.

Opening package.

Detached magazines.

Provided.

by approved natural or efficient artificial barricades, the distance above specified may be reduced one-half.

Second class;  
construction.

(b) Magazines of the second class shall be constructed of brick, concrete, iron, or wood with outside covering of iron, and no more than fifty pounds of explosives shall at any time be kept or stored therein and except when necessarily opened for use by authorized persons, shall at all times be kept securely locked.

Notice posted.

Upon each magazine there shall at all times be kept conspicuously posted a sign with the words "Magazine—Explosives—Dangerous" legibly painted thereon with white paint upon a black background, and not more than two such magazines shall be had or kept in any building.

Caps.

8. Blasting Caps.—No blasting caps, or other detonating or fulminating caps, or detonators, shall be kept or stored in any magazine in which other explosives are kept or stored.

Dealers to  
report to com-  
missioner of  
labor:

9. Certificate of Compliance.—All persons engaged in keeping or storing explosives on the date when this act takes effect shall within sixty (60) days thereafter, and all persons engaging in keeping or storing explosives after this act takes effect shall, before engaging in the keeping or storing of explosives, make a report in writing, subscribed to by such person, or his agent, to the Commissioner of Labor, the report stating:

Location of  
magazine;

(1) The location of the magazine, if then existing, or in case of a new magazine, or a removal of any existing magazine, the proposed location of such magazine.

Kind of explo-  
sives;

(2) The kind of explosives that are kept or stored, or intended to be kept or stored, and the maximum quantity that is intended to be kept or stored thereat.

Distance from  
buildings.

(3) The distance that such magazine is located, or intended to be located, from the nearest buildings, railroads and highways.

Inspection.

The Commissioner of Labor shall, as soon as may be after receiving such report, cause an inspection to be made of the magazine, if then constructed, and, in the case of a new magazine, or the removal of an existing magazine, as soon as may be after the same is found

to be constructed or removed in accordance with the specifications provided in section seven of this act, and before any explosives may be stored therein, the Commissioner of Labor shall determine the amount of explosives that may be kept and stored in such magazine by reference to the quantity and distance table set forth in section three of this act, and shall issue a certificate to the person applying therefor, showing compliance with the provisions of this act, which certificate shall set forth the character and maximum quantity of explosives that may be had, kept or stored in said magazine. Such certificate of compliance shall be valid until cancelled for one or more of the causes hereinafter provided, and a facsimile copy of said certificate, protected from the weather, shall be conspicuously posted on the outside of said building, within ten feet of the door, and on the same side of the building as the door, at a height of not over six feet from the ground. Whenever by reason of change in the physical conditions surrounding said magazine at the time of the issuance of the certificate of compliance therefor, such as:

(a) The erection of buildings nearer said magazine,  
(b) The construction of railroads nearer said magazine, or

(c) The opening for public travel of highways nearer said magazine; then notice of said change or changes must be given in writing to the Commissioner of Labor or his authorized representative, and the amounts of explosives which may be lawfully had, kept or stored in said magazine must be reduced to conform to such changed conditions in accordance with the quantity and distance table, notwithstanding the certificate of compliance, and the Commissioner of Labor shall, after inspection by himself or his authorized representative, modify or cancel such certificate in accordance with the changed conditions. Whenever any person to whom a certificate of compliance has been issued keeps or stores in the magazine covered by such certificate of compliance any quantity of explosives in excess of the maximum amount set forth in said certificate of compliance, or whenever any person fails for thirty (30)

Capacity of magazine.

Certificate of compliance issued.

Validity.

Facsimile posted.

Changed conditions:

Building nearer;

Railroad;

Highways.

Commissioner notified.

Action by commissioner.

Cancellation of certificate.

Explosives  
removed.

days to pay the annual license fee hereinafter provided after the same becomes due or otherwise violates any of the provisions of this act, the Commissioner of Labor may cancel such certificate of compliance. Whenever a certificate of compliance is cancelled by the Commissioner of Labor for any cause hereinbefore specified, the Commissioner of Labor shall notify in writing the person to whom such certificate of compliance is issued of the fact of such cancellation, and shall in said notice direct the removal of all explosives stored in said magazine within ten days from the giving of said notice. Failure to remove the explosives stored in said magazine within the time specified in said notice shall constitute a violation of this act.

License fee.

10. License.—Every person engaging in the keeping or storing of explosives shall pay an annual license fee for each magazine maintained, to be graduated by the Commissioner of Labor according to the quantity kept or stored therein, of not less than one dollar (\$1.00) nor more than twenty-five dollars (\$25.00). Said license fee shall be payable in advance to the Commissioner of Labor and by him paid to the State Treasurer.

Annual in-  
spection.

Inspectors.

Appointment  
and tenure.

Pay.

11. Inspection.—The Commissioner of Labor shall make, or cause to be made, at least one inspection during every year of each licensed factory or magazine. The Commissioner of Labor shall appoint one or more inspectors who shall be subject to the direction and control of such Commissioner of Labor to carry out the provisions of this act, and such other duties as may be assigned to them by such Commissioner of Labor. Such inspectors shall be appointed in accordance with the provisions of an act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties, approved April tenth, one thousand nine hundred and eight, and the acts amendatory thereto and supplementary thereof relative to the competitive class of the civil service. The Commissioner of Labor shall fix the salaries and compensation of such inspectors.



12. Who may Enter.—No person, except an official as authorized herein or a person authorized to do so by the owner thereof, or his agent, shall enter any factory, building, magazine or car containing explosives in this State.

Authorized to enter building containing explosives.

13. Transportation.—Every vehicle while carrying explosives upon the public highway shall display upon an erect pole at the front end of such vehicle and at such height that it shall be visible from all directions, a red flag with the word "Danger" printed, stamped or sewed thereon, in white letters at least six inches in height, or in lieu of such flag the words "Explosives, Dangerous," must be painted or attached to the ends and each side of such vehicle in white letters on black background at least six inches in height.

Carrying explosives on highway.

Danger signal.

It shall be unlawful for any person in charge of a vehicle containing explosives to smoke in, upon or near such vehicle, to drive the vehicle while intoxicated, to drive the vehicle in a careless or reckless manner, or to load or unload such vehicle in a careless or reckless manner, or to make unnecessary stops.

Drivers sober and not smoke, etc.

It shall be unlawful for any person to place or carry, or cause to be placed or carried, any metal tool or other similar piece of metal in the bed or body of a vehicle containing explosives, unless contained in a box or other container approved by the Commissioner of Labor or his authorized representatives.

Carrying metal.

It shall be unlawful for any person to place or carry, or cause to be placed or carried, in the bed or body of any vehicle containing explosives, any exploders, detonators, blasting caps or other similar explosive material, or to carry in or upon such vehicle any matches or any other flame-producing device, except safety matches carried in a container approved by the Commissioner of Labor or his authorized representatives.

Carrying matches.

14. Firearms.—No person shall discharge any firearm at or against any magazine or factory buildings.

Discharging firearms.

15. Penalties.—Whoever fails to comply with or violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars

Penalties.

(\$25.00) nor more than five hundred dollars (\$500.00), and whoever, after receiving written notice from the Commissioner of Labor or his authorized representative, directing compliance with specified provisions of the act, fails to comply with the provisions of the act specified in said notice shall be guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding ten thousand dollars (\$10,000.00), or by imprisonment for not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

Unlawful  
possession or  
use a felony.

16. Any person who shall have in his possession or control any shell, bomb or similar device, charged or filled with one or more explosives, intending to use the same or cause same to be used for an unlawful purpose, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in a State prison for a term of not less than five years nor more than twenty-five years. The possession or control by any person of any such device, so charged or filled, shall be deemed prima facie evidence of an intent to use the same, or cause the same to be used, for an unlawful purpose.

Exemptions:  
Lawful au-  
thorities;

17. Exemptions.—(a) Nothing contained in this act shall apply to the regular military or naval forces of the United States or its allies nor the duly authorized militia of any State or Territory thereof, nor to the police or fire departments of this State, or of any municipality or county within this State, providing the same are acting within their official capacity and in the performance of their duties.

Transporta-  
tion;

(b) Nothing contained in this act shall apply to explosives while being transported upon vessels or railroad cars in conformity with the regulations adopted by the Interstate Commerce Commission; nor to the transportation or use of blasting explosives for agricultural purposes in quantity not exceeding two hundred (200) pounds at any one time; nor to any explosives in quantities not exceeding five pounds at any one time.

Farming pur-  
poses.

Municipal  
ordinances  
not affected.

18. Existing Ordinances not Affected.—Nothing contained in this act shall affect any existing ordinance, rule or regulation of any city or municipality not less restrictive than this act governing the manufacture.

storage, sale, use or transportation of explosives, or affect, modify or limit the power of cities or municipalities in this State to make ordinances, rules or regulations not less restrictive than this act, governing the manufacture, storage, sale, use or transportation of explosives within their respective corporate limits.

19. Liquor and Matches.—No employee or other person shall attempt to enter any explosive plant with matches or other flame-producing devices, except electric incandescent flash lights, or liquor or narcotics in his or her possession or control, or while under the influence of liquor or narcotics, or to partake of intoxicants or narcotics while within the plant, under penalty of misdemeanor.

Use of liquor  
and matches.

The superintendent may authorize in writing any employee or other person to have approved safety matches in his possession or to depart from the other provisions of this section.

Uses of safety  
matches.

It shall be the duty of the superintendent or other person in charge of all plants included within this act to provide safety containers for matches at all entrances to said plants.

Containers for  
matches sup-  
plied.

20. Indemnity Bonds.—The owner or operator of every factory in which explosives are manufactured or handled, within sixty days after demand therefor in writing by the Commissioner of Labor upon such owner or operator, unless exempted therefrom as hereinafter provided, shall file and keep on file with the Department of Banking and Insurance of the State an indemnity bond payable to the State in such sums as may be determined by the said Commissioner of Labor and set forth in such demand, not in excess of one million dollars (\$1,000,000) nor less than one hundred thousand dollars (\$100,000), with surety or sureties satisfactory to said department, conditioned for the payment of all final judgments that may be rendered against said owner or operator for damages caused to persons and of property by reason of any explosion at said factory of the explosives there manufactured or handled. Any such owner or operator desiring to be exempted from filing such bond shall make application to the said Depart-

Indemnity  
bond filed  
by owners  
or operators.

Amount.

Application  
for exemption.

ment of Banking and Insurance showing his financial ability to discharge all such judgments to the amount of said bond required by said commissioner that may be entered against him, whereupon said department, if satisfied of such financial ability of the applicant, shall by written order exempt such applicant from the filing of such bond; and said Department of Banking and Insurance may from time to time require further statements from the applicant showing his financial ability aforesaid, and, if dissatisfied therewith, may in its discretion revoke such exemption and require the filing of such bond.

Constitution-  
ality of act.

21. In case any provision of this act shall be adjudged unconstitutional or void for any other reason, such adjudication shall not affect any of the other provisions of this act.

Repealer.

22. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Act effective.

23. This act shall take effect six (6) months after its passage and approval.

Approved March 29, 1917.

## CHAPTER 244.

An Act to amend an act entitled "An act for the incorporation of cities, and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 6  
amended.

1. Section six of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Continuance  
of officers.

6. The officers of any city, town, borough, township, which has voted as aforesaid for incorporation as a

city under this act, who shall hold office at the time of filing the aforesaid certificate with the Secretary of State, shall continue to hold their respective offices until the first day of January next succeeding the first annual city election held under this act, and shall in all things be subject to the provisions of this act in the same way as if they had been elected hereunder; and no surety of any such officer shall be discharged from liability on account of any change made in the duties of such officer by this act, unless, within five days after this act becomes operative in such city, he shall, in writing, notify the council of his intention to withdraw from his suretyship, in which case he shall be discharged from liability from the time this act becomes operative in such city; and the council may require such officer to furnish new additional sureties in place of the ones withdrawing as aforesaid; and if he fails or neglects so to do, the council may declare his office vacant, and may fill such vacancy in the manner hereinafter prescribed for the filling of vacancies.

Sureties; their liability.

New sureties.

2. Section seven of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 7 amended.

7. The council or governing body of the city may fill by appointment all such offices herein provided for which did not exist in the city, town, borough, township of which it is the successor; and all such appointments to elective offices, as well as all other such appointments, shall hold only until the first day of January next succeeding the first city election held under the provisions of this act.

Certain offices filled by appointment.

Term.

3. Section nine of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 9 amended.

9. The city and ward officers of the city shall be a mayor, a city council consisting of two councilmen from each ward, a city clerk, a receiver of taxes, a city treasurer, a city counsel, an assessor, a recorder, an overseer of the poor, a board of three excise commissioners, a health inspector, a city physician, a chief of police, a chief of the fire department, a street commissioner, three

City and ward officers.

	constables from each ward and such number of justices of the peace as the city may be entitled to under the constitution and laws of this State; in the first election held under this act, one councilman shall be elected from each ward for one year and one for two years, and thereafter there shall be elected at each annual election
Officers chosen at first election.	one member of the city council for two years; in the first election for constables under this act there shall be elected in each of the wards one constable for one year, one for two years and one for three years, and thereafter in each ward one constable each year for three years; the city council may increase the number of assessors at any time to such number as may be necessary in their judgment to perform properly their duties, who shall hold office for the term hereinafter provided; the assessor shall have the same authority to assess for taxes and be clothed with the same power as the board of assessors now have.
Number of assessors.	
Section 10 amended.	4. Section ten of the act to which this act is amendatory be and the same is hereby amended to read as follows:
Elective and appointive officers.	10. The mayor, councilmen, constables, shall be elected at an annual city election; the city treasurer, city counsel, recorder, health inspector, overseer of the poor, chief of police, receiver of taxes, assessor of taxes, city physician, chief of the fire department, street commissioner and excise commissioners shall be appointed by the mayor on the confirmation of the city council for the terms hereinafter provided; and not more than two members of the board of excise commissioners shall belong to the same political party. The assessors shall hold office for the term of two years.
Assessors' term.	
Section 21 amended.	5. Section twenty-one of the act to which this act is amendatory be and the same is hereby amended to read as follows:
When term begins.	21. The official terms of the several officers who shall be elected under this act shall commence on the first day of January next succeeding their election; and the term of all officers who shall be appointed by virtue of this act shall commence on the first day of January next succeeding the first city election, except in cases other-
How long to hold office.	

wise provided for in this act, the terms of their successors shall begin on the first day of January and every officer shall hold his office during his official term and until his successor shall have been duly elected or appointed and shall have duly qualified.

6. This act shall take effect immediately.

Approved March 29, 1917.

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## CHAPTER 245.

An Act to authorize the board of chosen freeholders of any county in this State to construct a bridge or bridges or to widen any existing bridge or bridges in any street or highway located in any municipality in such county, over a canal owned by a canal corporation, its successors or assigns, and to agree with the canal corporation, its successors or assigns, and the municipality, as to the share of the cost of such construction or widening to be borne by each, and on failure to agree to apply to the Court of Chancery to settle and determine the share of the cost of such construction or widening to be borne by each, and providing that the municipality shall pay all damages, if any, to abutting landowners occasioned by such construction or widening, and authorizing the issue of bonds by such board and municipality to pay the cost of such construction or widening, and damage assumed by or imposed upon them respectively.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever in any county in this State a street or highway is located in any municipality in such county and said street or highway is crossed by a canal owned

On resolution  
requesting it,  
bridge over  
canal built  
or widened  
by freeholders.

by a canal corporation, its successors or assigns, and the board or body in such municipality having control of street improvements passes resolutions requesting the board of chosen freeholders of such county to construct a bridge or bridges over such canal or to cause any existing bridge or bridges over such canal to be widened, then it shall and may be lawful for the board of chosen freeholders of such county to construct a bridge or bridges in such streets or highways, or cause any existing bridge or bridges over such canal to be widened.

Expenses.

2. The expense of construction of such bridge or bridges or the widening of any existing bridge or bridges shall be borne by the board of chosen freeholders of the county and the canal corporation, its successors or assigns, over whose canal said bridge is constructed or widened, and the municipality in which said street or highway is located, in the amount or proportion which may be agreed upon between them. If no such agreement can be made it shall be lawful for such board of chosen freeholders to apply by petition to the Court of Chancery, which court is hereby given jurisdiction to hear the parties in a summary way on such notice as such court may prescribe, and to apportion and determine the part or proportion of said expense to be borne and paid by each of the parties to such proceedings.

If no agreement, court of chancery to determine.

Damage to abutting property paid by municipality.

3. The owners of property abutting such bridge shall or bridges shall be entitled to compensation or damages sustained, if any, by reason of the construction thereof or the widening of any existing bridge or bridges, and the municipality in which such bridge is constructed or wherein any existing bridge or bridges widened, shall bear and pay the damages ascertained to property within its limits, which damages may be ascertained in the same manner that damages are ascertained on the change of grade of streets, or said abutting property owners may bring their suit at law to recover such damages, provided the same shall be brought within one year after the acceptance of the work so completed by



said board, and such board of chosen freeholders shall not in any manner be liable for such damages.

4. Such board of chosen freeholders is authorized to expend as its share of the cost of construction of any such bridge or bridges, or of the widening thereof, a sum not to exceed one hundred thousand dollars.

Amount paid  
by county.

5. If in the opinion of the board of chosen freeholders of such county to place the entire cost of such construction or widening in the tax levy for any one fiscal year would be too burdensome to the taxpayers of such county, it shall and may be lawful for such board to issue the bonds of such county to defray the expense thereof, which said bonds shall be of the denomination of one thousand dollars each, and be registered or coupon as such board may determine, and shall be in conformity with the provisions of the law of the State; and said county shall annually thereafter place in the tax levy a sum sufficient to pay the interest on such bonds as it matures, and the payment of said bonds at maturity, and place in the tax levy annually thereafter a sum sufficient to pay off and discharge said bonds at maturity.

County may  
issue bonds.

Provision for  
principal and  
interest.

6. In order to enable such municipalities to raise the moneys wherewith to pay any damages with which they or either of them may be charged by reason of the construction or widening of such bridge or bridges, it shall and may be lawful for such municipalities to issue and sell their bonds in an amount not exceeding the damages assessed or charged against each municipality, which bonds shall be issued under the provisions of the laws of the State.

Municipality  
may issue  
bonds.

7. The board of chosen freeholders of any county shall not advertise for bids or proceed with the work of erecting any such bridge or bridges, or of widening the same, as above provided, until the plans and specifications for the same shall have been submitted to the board or body in such municipality having charge of street improvements therein, and approved by such board or body.

Submission  
and approval  
of bonds  
before adver-  
tising.

8. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 246.

An Act amendatory of "An act amendatory of and supplemental to an act entitled 'An act directing the descent of real estates,' approved April sixteenth, eighteen hundred and forty-six," which amendatory act was approved March third, nineteen hundred and fifteen, and repealing certain provisions of such amendatory act of March third, nineteen hundred and fifteen, which abolish dower and curtesy and give to surviving husband or widow a life estate in one-third of all real estate of which the intestate died seized in fee simple.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amending.

1. Section one of the act of which this act is amendatory be and the same is hereby amended to read as follows:

section 3  
amended.

1. Section three of the act of which this act is amendatory be and the same is amended hereby to read as follows:

When property  
goes to father.

3. When any person shall die seized of any lands, tenements or hereditaments as aforesaid, without devising the same in due form of law, and without leaving lawful issue, and without leaving a brother or sister of the whole blood, or any lawful issue of any such brother or sister, leaving a father, then the inheritance shall go to the father of the said person so seized, in fee simple, unless the said inheritance came to the person so seized from the part of his or her mother by descent, devise or gift, in which case it shall descend as if such person so seized had survived his or her father.

Section 2  
amending  
section 4  
amended.

2. Section two of the act of which this act is amendatory be and the same is hereby amended to read as follows:

2. Section four of the act of which this is amendatory be and the same is amended hereby to read as follows:

4. When any person shall die seized of any lands, tenements or hereditaments, in his or her own right in fee simple, without devising the same in due form of law, and without leaving lawful issue, and without leaving a brother or sister of the whole blood, or any lawful issue of any such brother or sister, and without leaving a father, leaving a mother, then the inheritance shall go to the mother of the said person so seized, for life; and after her death the same shall go and descend as provided for in this act, in case the person so dying seized shall die without leaving a mother capable of inheriting the same, (in fee simple, unless the said inheritance came to the person so seized from the part of his or her father by descent, devise or gift, in which case it shall descend as if such person so seized had survived his or her mother).

When property goes to mother.

3. Section three of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Section 3 amending section 6 amended.

3. Section six of the act to which this act is amendatory be and the same is amended hereby to read as follows:

6. When any person has or shall die hereafter, seized of any lands, tenements or hereditaments as aforesaid, without devising the same in due form of law, and without lawful issue, and without leaving a brother or sister, of the whole blood or half blood, or the issue of any such brother or sister, and without leaving a father or mother, capable of inheriting under this act the said lands, tenements or hereditaments, and shall leave several persons, either of the whole or half blood, all of equal degree of consanguinity, although more remote than any person or persons who may be expressly excluded by any provision of law, to the person so seized, the said lands, tenements and hereditaments shall then descend and go to the said several persons of equal degree of consanguinity, either of the whole or half blood, to the person so seized, as tenants in common, in equal

Inheritance by persons of various degrees removed.

parts, however remote from the person so seized the common degree of consanguinity may be, and whether of the whole or half blood, unless where such inheritance came to the said person so seized by descent, devise or gift of some one of his or her ancestors, in which case all those who are not of the blood of such ancestor shall be excluded from such inheritance, if there be any person or persons in being although more remote, and however remote, of the blood or half blood of such ancestors capable of inheriting the said lands, tenements or hereditaments; *provided, always*, that nothing contained in this act shall be construed or taken to bar or injure the rights or estate of a husband as a tenant by the curtesy, or a widow's right of dower, or to make void, or in any way affect any marriage settlement; *and provided, further*, that when any person has heretofore died, or shall hereafter die, so seized of any lands, tenements or hereditaments as aforesaid, without devising the same in due form of law, and without leaving any person as hereinbefore enumerated, capable of inheriting the same, but leaving a husband or wife, the same shall descend and go to said husband or wife in fee simple; *and provided, further*, that nothing herein contained shall be operative or have any effect, in any case or cases, wherein any proceedings have been had or taken, or are now pending, on behalf of the State, under and by virtue of the law as now existing, to escheat said lands, nor shall this act affect, or in anywise impair, any title to any land heretofore obtained under and by virtue of any proceedings heretofore had and taken in pursuance of law.

Proviso.

Proviso.

Proviso.

Section 4  
amending  
section 11  
amended.

4. Section four of the act of which this act is amendatory be and the same is amended hereby to read as follows:

4. Section eleven of the act of which this act is amendatory be and the same is amended hereby to read as follows:

Life vesture.

From and after the passing of this act where any conveyance or devise shall be made whereby the grantee or devisee shall become seized in law or equity of such estate in any lands or tenements, as under the statute

of the thirteenth of Edward the First (called the statute of entails,) would have been held an estate in fee tail, every such conveyance or devise shall vest an estate for life only, in such grantee or devisee, who shall possess and have the same power over, and right in, such premises, and no other, as a tenant for life thereof would have by law; and upon the death of such grantee or devisee the said lands and tenements shall go to and be vested in the children of such grantee or devisee, equally to be divided between them as tenants in common in fee, but if there be only one child, then to that one in fee; and if any child be dead, the part which would have come to him or her shall go to his or her issue in like manner; *provided*, that the widow of any such grantee or devisee of such estate shall have her dower in the premises in like manner as if the said grantee or devisee had died seized thereof in fee simple; *and provided, also*, that where any person shall marry a woman being a grantee or devisee and seized of such estate, the said husband, after the death of his wife, shall have his curtesy in the lands and tenements, if there be issue of the marriage, in like manner as if said wife had died seized of an estate of inheritance in fee tail of the premises.

At death  
vested in heirs.

Proviso.

Proviso.

5. Section five of the act of which this act is amendatory be and the same is amended hereby to read as follows:

Section 5  
amending  
section 13  
amended.

5. Section thirteen of the act of which this act is amendatory be and the same is amended hereby to read as follows:

13. When any illegitimate person shall die seized of any lands, tenements or hereditaments, in his or her own right, in fee simple, without devising the same in due form of law, and without leaving lawful issue, then the inheritance shall go to the mother of the person so seized; and if the mother shall have died before such illegitimate person, then the inheritance shall go to the heirs-at-law of said mother; *provided, always*, that nothing contained in this act shall be construed or taken to bar or injure the rights or estate of a husband as a tenant by the curtesy, or a widow's right of dower, or to

In case of  
illegitimacy.

Proviso.

Proviso.

make void or in any way affect any marriage settlement; *and provided, further*, that nothing herein contained shall be operative or have any effect in any case or cases wherein any proceedings have been had or taken, or are now pending on behalf of the State, under and by virtue of the law as now existing, to escheat said lands; nor shall this act affect or in anywise impair any title to any land heretofore obtained under and by virtue of any proceedings heretofore had and taken in pursuance of law.

Section 6 repealed.

6. Section six of the act of which this act is amendatory be and the same is hereby repealed.

Section 7 repealed.

7. Section seven of the act of which this act is amendatory be and the same is hereby repealed.

Approved March 29, 1917.

## CHAPTER 247.

An Act to amend an act entitled "An act to regulate the practice of courts of law (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 138 amended.

1. Amend section one hundred and thirty-eight of the act to which this act is an amendment so that it shall read as follows:

Notice of writs of inquiry.

138. The same notice shall be given of executing writs of inquiry and of countermand as is required for the trial of issues of fact; if the plaintiff shall not execute the writ of inquiry according to notice, or countermand such notice in due time, the defendant shall be entitled to costs; *provided*, if the exigency of the case be such as not to admit of such notice or countermand, the court may dispense therewith and

Proviso.

make such general rule or special order as to notice as the ends of justice require.

2. Amend section one hundred and thirty-nine so that it shall read as follows: Section 139 amended.

139. If the damages are assessed by a writ of inquiry, no rule for final judgment shall be entered, except by order of the court or a judge on notice to the defendant; but if the damages are assessed by the court or a judge or the clerk, or under the directions of a justice, or judge, or Supreme Court Commissioner, a rule for final judgment may be entered upon filing such assessment as of course, which judgment shall be signed and take effect as of the day when such rule is actually entered; *provided*, if the exigency of the case be such as not to admit of such notice to the defendant, and the provisions of the foregoing section (number one hundred and thirty-eight) have been fully complied with, no such notice shall be required. Final judgment, entry.

3. This act shall take effect immediately. Proviso.

Approved March 29, 1917.

## CHAPTER 248.

An Act to confirm, validate and legalize orders admitting wills to probate, orders granting letters testamentary or of administration, and all other orders and all letters testamentary, letters of administration and letters of guardianship, both original and substitutionary, heretofore made or issued, and proofs, oaths and affirmations heretofore taken, and all duties heretofore performed by deputy surrogates.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All orders admitting wills to probate, orders granting letters testamentary or of administration, and

Validity of probate, letters of administration, proofs, etc., issued by deputy surrogate.

all other orders, and all letters testamentary, letters of administration and letters of guardianship, both original and substitutionary, heretofore made or issued, and all proofs, oaths and affirmations heretofore taken, and all acts and duties heretofore performed by any duly appointed and qualified deputy surrogate of any county in this State, under and by virtue of the authority of an act of the Legislature of this State entitled "Supplement to 'An act respecting surrogates (Revision), approved April fifteenth, one thousand eight hundred and forty-six,' approved March thirty-first, one thousand eight hundred and eighty-two," are hereby confirmed, validated, legalized and declared to be, and are and shall be as good, legal, valid and effectual, and the record thereof and of all wills admitted to probate by such orders admissible in evidence, as fully and completely as if the surrogate had made such orders, issued such letters, taken such oaths or affirmations, and performed such duties, whether made, signed, issued, taken or performed in the name and under the hand and seal of the deputy surrogate, or in the name and under the seal of the surrogate.

2. This act shall be deemed a public act and shall take effect immediately.

Approved March 29, 1917.

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#### CHAPTER 249.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Rules gov-  
erning indus-  
trial or manual  
training.

1. The State Board of Education shall have the power to adopt rules governing the management, control and



approval of such courses of study in industrial education or manual training as shall be adopted by the several districts.

2. This act shall take effect immediately.

Approved March 29, 1917.

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## CHAPTER 250.

An Act to extend the territorial boundaries of the city of Atlantic City, in the county of Atlantic, by the annexation of a portion of the townships of Egg Harbor township and Galloway township, in said county.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. All that land and real estate situate, lying and being in the township of Egg Harbor, in the county of Atlantic, bounded and described as follows: Beginning on the east bank of Beach thoroughfare, where the same is intersected by the extended middle line of Jackson avenue; thence extending (1) northwardly along said extended middle line of Jackson avenue to the middle line of Beach thoroughfare; (2) southwestwardly along the middle line of Beach thoroughfare to its intersection with the middle line of Turtle Gut; (3) northwestwardly along the middle line of Turtle Gut to the northwesterly mouth thereof; (4) northwestwardly in a straight line to a point in the extended middle line of Troy avenue as the same is laid out in Ventnor City, and distant nine thousand five hundred feet northwestwardly from the northwesterly line of Atlantic avenue as laid out in said city; (5) northeastwardly deflecting fifteen degrees northwardly from a line parallel with said Atlantic avenue about four thousand feet to the middle of Great thoroughfare at the mouth thereof; (6)

Boundaries  
of part of  
Egg Harbor  
township an-  
nexed to  
Atlantic City.

northwardly and northeastwardly along the middle line of Great thoroughfare to its intersection with the middle line of Jonathan's thoroughfare; (7) northwardly along the middle line of Jonathan's thoroughfare to the northerly mouth thereof; (8) north forty-four degrees and fifteen minutes east by true meridian to a point of intersection with the division line between Egg Harbor township and Galloway township; (9) southeastwardly along said division line between said townships to the middle line of Main channel; (10) southeastwardly along the middle line of Main channel to its point of intersection with the east side of Absecon inlet standing in the present boundary line of city of Atlantic City; (11) westerly following the present boundary line of city of Atlantic City along the east side of said inlet to a point opposite and at right angles with the west bank of Clam thoroughfare; (12) southerly, still following said boundary line, along the west bank of said thoroughfare to its intersection with Beach thoroughfare; (13) southerly, still following said boundary line, along the east bank of said Beach thoroughfare to the place of beginning, be separated from the said township of Egg Harbor and annexed to the said city of Atlantic City, county of Atlantic and State of New Jersey, so that the same shall be hereafter a part of and within the territorial limits of the said city of Atlantic City, county of Atlantic and State of New Jersey.

Boundaries  
of part of  
Galloway town-  
ship annexed  
to Atlantic  
City.

2. All that land and real estate situate, lying and being in the township of Galloway, in the county of Atlantic and State of New Jersey, bounded and described as follows, to wit: Beginning at a point situate in Absecon bay where a course of north forty-four degrees and fifteen minutes east by true meridian from the middle of the northerly mouth of Jonathan's thoroughfare intersects the division line between Egg Harbor township and Galloway township; thence extending (1) north forty-four degrees and fifteen minutes east by true meridian to a point distant two hundred feet short of the meadow's edge on the northeasterly side of Absecon bay; (2) southeastwardly by

a line parallel with said meadow's edge and distant two hundred feet therefrom until it intersects the middle line of Steelman's thoroughfare; (3) eastwardly along the middle line of Steelman's thoroughfare to its intersection with the middle line of Main channel; (4) southeastwardly along the middle line of Main channel to its intersection with the division line between Egg Harbor township and Galloway township aforesaid; (5) northwestwardly along said division line between said townships to the place of beginning, be separated from the said township of Galloway, county of Atlantic and State of New Jersey, and annexed to the said city of Atlantic City, county of Atlantic and State of New Jersey, so that the same shall be hereafter a part of and within the territorial limits of said city of Atlantic City, county of Atlantic and State of New Jersey.

3. The governing bodies of the city of Atlantic City and of the township of Egg Harbor shall each appoint a committee of three, which committee shall meet in joint session at the city hall in Atlantic City, at ten o'clock in the forenoon of the second Monday after this bill become effective, and shall then and there, or as soon thereafter as may be, proceed to divide and apportion between said city and said township all of the bonded and other indebtedness of said township, including any and all bonded or other indebtedness of the school district of the township of Egg Harbor, in the proportions following, to wit: a sum equal to sixty per centum thereof to be forthwith assumed and paid at maturity by said city of Atlantic City, for which it is hereby made liable; and the remaining forty per centum of said bonded and other indebtedness of said township shall be assumed by said township. There shall be no division between said city and said township of money, property or assets, and in effecting such division the decision of a majority of those present of the committee shall be final and conclusive. It shall be lawful to adjourn said meeting from time to time, not exceeding one week, as a majority of said committee present at any meeting may decide.

Committee  
to apportion  
indebtedness  
of Egg Harbor  
township.

Proportion.

Money or  
property not  
divided.

Report of  
committee.

The report of said committee shall be made in duplicate, in writing, signed by at least a majority thereof, directed to the respective municipalities, one copy whereof shall be filed with the city clerk of Atlantic City and the other with the clerk of the township committee of Egg Harbor township.

4. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 251.

An Act to amend and supplement an act entitled "An act to provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines, and to prohibit the use of such steam boilers and steam engines unless the person in charge thereof shall be so licensed," approved April fourteenth, one thousand nine hundred and thirteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 1  
amended.

1. Section one of the act of which this act is amendatory be and the same hereby is amended so as to read as follows:

Bureau of  
engineers.

1. Within sixty days after this act shall take effect the Commissioner of Labor of the State of New Jersey shall establish in the Department of Labor a bureau to be known as "The Steam Engine and Boiler Operators' License Bureau," to consist of three persons, citizens of the State of New Jersey, each of whom shall have been engaged for at least ten years as engineer in charge of a steam plant of not less than two hundred and fifty horse-power, or as the inspector for a steam engine and boiler insurance company licensed to do business within

Qualifications.

said State. The members of said bureau shall be in the competitive class of the classified civil service of the State, and shall be appointed by the Commissioner of Labor and hold their positions in the manner provided by an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the acts amendatory thereof and supplemental thereto.

Appointed  
under civil  
service.

Each member of such bureau in office at the time this act becomes effective shall continue to hold office until the date of the expiration of the term for which he was appointed, unless sooner removed for cause by the Commissioner of Labor. Upon the expiration of the term for which any such member was appointed his successor shall be appointed from an eligible list certified by the Civil Service Commission to the Commissioner of Labor, which eligible list shall contain the name of such member whose term had expired as aforesaid and the names of two persons who shall have qualified after an examination conducted by said commission.

Present mem-  
bers to com-  
plete term.

Future ap-  
pointments.

2. Section two of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows:

Section 2  
amended.

2. Each person appointed a member of said bureau shall, before entering upon the discharge of his duties, and within thirty days after he has been appointed, take and subscribe to an oath before any officer authorized to administer oaths in this State, for the faithful performance of his duty, which shall be filed with the said Commissioner of Labor and transmitted by him to the Secretary of State. They shall from time to time, subject to the approval of the Commissioner of Labor, select one of their number for chairman. The Commissioner of Labor may adopt all necessary rules, regulations and by-laws for the government of said bureau not inconsistent with the laws of this State or of the United States, and shall prescribe rules for the exam-

Oath.

Chairman.

Rules and  
regulations.

Concerning license.	ination and licensing of engineers and firemen in charge of stationary and portable steam boilers and steam engines within the State, and for the enforcement of the provisions of this act. Such regulations shall also specify the terms and conditions under which such license shall be issued or renewed; shall fix the fees charged for the issuance or renewal of such license and shall provide for the revoking for proper cause of any license issued. The members of said bureau shall perform such duties as shall be prescribed by the Commissioner of Labor and shall report from time to time to the commissioner in such form as he shall prescribe. All licenses recommended by them shall be issued under the hand and seal of the commissioner and a record thereof kept in his office. Such license shall also be signed by the member or members of said bureau who conducted the examination, upon which such license was issued.
Duties.	
License signed.	
Section 3 repealed.	3. Section three of the act of which this act is amendatory be and the same hereby is repealed.
Section 4 amended.	4. Section four of the act of which this act is amendatory be and the same hereby is amended so as to read as follows:
License necessary.	4. Within sixty days after said bureau shall have been organized no person shall operate any steam boiler or steam engine without having the license herein provided for, and no owner, agent, superintendent, manager, or other person or corporation having charge of any building in which any steam boiler or steam engine is located, or having charge of any work in which any steam boiler or steam engine is used, shall use or cause to be used any such steam boiler or steam engine unless the same is in charge of an engineer or fireman licensed in accordance with the provisions of this act, except in
Emergencies.	case of emergency, and then for no longer than fifteen days, unless the Commissioner of Labor in writing extends such time, of which emergency the owner of such steam boiler or steam engine, or the agent, superintendent, manager, or other person or corporation in charge thereof, shall promptly notify such bureau in writing, stating briefly the circumstances in connection with such

emergency; *provided, however*, that the provisions of this act, and the act of which it is amendatory and supplemental, shall not require a license of any person in charge of or operating a steam boiler or steam engine under the control of the Government of the United States, or any steam boiler in any railroad locomotive used in the service of a common carrier, or any steam boiler used in road vehicles, or in connection with fire departments of any municipality or public body of this State, or any steam boiler used exclusively for heating purposes which does not carry a pressure of more than fifteen pounds per square inch, or any engine or boiler of less than six horse-power.

Proviso;  
exceptions.

5. Section nine of the act of which this act is amendatory be and the same hereby is amended so as to read as follows:

Section 9  
amended.

9. Each member of the bureau shall be entitled to have and receive as and for his compensation the sum of fifteen hundred dollars per year. The salary of any member of said bureau after three years of service may be increased upon the recommendation of the Commissioner of Labor to sixteen hundred dollars per year, and upon like recommendation after four years of service to seventeen hundred dollars per year. Each member of said bureau after having satisfactorily served for five years shall, if recommended by the Commissioner of Labor, be admitted to a non-competitive promotion examination to be conducted by the Board of Civil Service Commissioners, and upon successfully passing such examination shall receive a salary of eighteen hundred dollars per year. Each member of said bureau after having served one year subsequent to passing such promotion examination shall, if recommended by the Commissioner of Labor, receive a salary of nineteen hundred dollars per year, and after two years of service subsequent to passing such examination shall upon like recommendation receive a salary of two thousand dollars per year. Each member of said bureau shall be entitled to and shall receive his necessary expenses incurred in the performance of his duties. In computing the period of service above referred to the service

Salaries of  
members of  
bureau of  
engineers.

Expenses.

Period of  
service.

rendered by any member of said bureau prior to April first, one thousand nine hundred and seventeen, shall not be considered. The salaries and expenses of the members of said bureau shall be payable monthly in the same manner as the compensation of other employees of said Department of Labor; the fees received by the commissioner for such licenses shall be paid into the State treasury.

License produced on demand.

6. Every engineer and fireman licensed under the provisions of the act to which this act is amendatory and supplemental shall, while in charge of or operating a steam boiler or steam engine, produce his certificate or license upon demand made by the Commissioner of Labor or any employee of the Department of Labor, or any member of the bureau created by the act to which this act is an amendment and supplement.

Penalties.

7. Any person who shall violate any of the provisions of this act shall be liable to a penalty of not less than ten or more than one hundred dollars. Any officer of any corporation violating any of the provisions of this act shall be personally liable for such violation of such corporation. Any manager, superintendent or other person in charge of any building or other place in which this act is violated shall be liable for such violation.

Section 10 repealed.

8. Section ten of the act of which this act is amendatory be and the same is hereby repealed.

Jurisdiction as to violations.

9. Every District Court in any city or judicial district, and every justice of the peace and police magistrate shall have jurisdiction to try and punish any person or persons, corporation or corporations guilty of any violation of this act, or of the act of which this act is amendatory and supplemental, and every penalty prescribed by either of said acts may be enforced and recovered before any District Court, justice of the peace or police magistrate, either in the county where the offense is committed, or where the offender is summoned or arrested, or where he may reside. All proceedings brought for violation of this act, or the act of which this act is amendatory and supplemental, shall be in the name of the Commissioner of Labor of the State of New Jersey as plaintiff. Process shall only be issued

Proceedings in name of commissioner of labor.



at the instance of the Commissioner of Labor, or of an employee of the Department of Labor, or of a member of the bureau above mentioned. Such District Court, justice of the peace or police magistrate upon receiving verified complaint in writing of the violation of any provision of either of said acts shall issue process in the nature of a summons or warrant; when in the nature of a warrant such process shall be returnable forthwith; when in the nature of a summons in not less than five or more than fifteen days. The complaint may be sworn to by any person having knowledge of the facts. Such complaint when made by the Commissioner of Labor, or any employee of his department, or any member of the bureau above mentioned, may, however, be made upon information and belief.

Issue process.

Complaint.

Upon the return day of the summons or warrant, or upon any day to which said hearing shall be adjourned, said District Court, justice of the peace or police magistrate shall summarily, without the filing of any pleadings, hear and determine the guilt or innocence of the defendant; and in case of conviction shall impose upon the person so convicted the penalty or penalties prescribed by this act together with the cost of prosecution.

Hearing.

Any hearing to be heard pursuant to this act may be adjourned by the District Court, justice of the peace or police magistrate, but shall not be continued for more than thirty days from the return day of the summons or warrant, except by consent of both parties. In case of adjournment where the first process was a warrant it shall be the duty of the District Court, justice of the peace or police magistrate to commit the defendant to the common jail of the county in which said court is situated, pending the hearing, unless defendant shall enter into a bond to the Commissioner of Labor of the State of New Jersey with at least one surety in the sum of two hundred dollars, conditioned for defendant's appearance on the day to which the hearing shall be adjourned, and then from day to day until the case is disposed of, and to abide by the judgment of the District Court, justice of the peace or police magistrate. If

Adjournments.

Holding defendant.

such bond is forfeited it shall be prosecuted in the name of the Commissioner of Labor of the State of New Jersey.

Service of  
process.

All process issued under the provisions of this act shall be served by the officers authorized to serve and execute process in District Courts and before police magistrates and justices of the peace, or by the Commissioner of Labor, or members of the bureau above mentioned.

Execution.

Execution may issue against the goods and chattels of any person convicted of violating this act without any order first obtained for that purpose, and if sufficient goods and chattels of any such person be not found to satisfy the said execution, the said District Court, justice of the peace or police magistrate shall commit defendant to the common jail of the county where such conviction is had for a period not exceeding thirty days. In case of conviction of a corporation of violation of the provisions of this act execution may issue against the goods and chattels of such corporation.

Judgment  
docketed.

Any judgment obtained under the provisions of this act may be docketed in the office of the clerk of the Court of Common Pleas of the county in which said judgment is recovered, in the same manner as judgments recovered in District Courts are docketed.

Costs.

The costs in prosecutions under this act shall be the same as the costs taxed in civil actions in District Courts.

Jurisdiction  
of justices of  
peace.

10. The jurisdiction hereby conferred on justices of the peace shall not obtain in any city or judicial district where there is now or may hereafter be established a District Court.

As to consti-  
tutionality.

11. If any part of this act be adjudged unconstitutional it shall not invalidate the remainder of this act.

Repealer.

12. All acts or parts of acts inconsistent with this act are hereby repealed.

13. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 252.

A Supplement to an act entitled "An act to provide for the completion of any drainage heretofore commenced under the provisions of an act entitled 'An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health,' approved March thirty-first, one thousand nine hundred and three, and the various supplements and amendments thereto, and to provide for the payment of the costs, damages and expenses of any drainage undertaken by the commissioners appointed under the provisions of said act, including any outstanding evidences of indebtedness heretofore issued by said commissioners," approved April ninth, one thousand nine hundred and thirteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The provisions of the act to which this is a supplement providing for the payment of the costs, damages and expenses of any drainage undertaken by commissioners appointed under the provisions of an act entitled "An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health," approved March thirty-first, one thousand nine hundred and three, and the various supplements and amendments thereto, shall apply where drainage has been heretofore completed by commissioners in accordance with the provisions of said act, but the costs, damages and expenses incurred in the performance of the said work of drainage have not been paid by reason of the invalidity of any assessments which might be levied,

Act applies to drainage completed, but costs, etc., not paid by reason of invalidity.

according to the provisions of said act owing to the unconstitutionality thereof, or where the costs, damages and expenses have been assumed and paid by the governing body of the municipality, but have not been assessed upon the lands specially benefited by reason of the invalidity of any assessments which might be levied owing to the unconstitutionality of said act or the possible inapplicability of the act to which this act is a supplement.

Repealer.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved March 29, 1917.

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## CHAPTER 253.

An Act to amend an act entitled "An act for the relief of creditors against absent, fraudulent and absconding debtors," approved March twentieth, one thousand nine hundred and one.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Section 21  
amended.

1. That section twenty-one of the above-recited act be and the same is hereby amended so that the same shall read as follows:

Appointment  
of auditor;  
duties, etc.

21. On the return of the writ, the court shall appoint an auditor to adjust and ascertain the amounts due to the plaintiff and each of the applying creditors; the auditor shall have power to administer oaths and to examine witnesses touching the demands of the plaintiff and creditors; and at the expiration of two months from the return of the writ he shall make and file a report of the amounts so ascertained; in adjusting debts not due rebate of the interest to the date of maturity shall be made; and after the report has been on file ten

Report.

days the court or a judge may, either in term or vacation, approve the same and order final judgment to be forthwith entered thereon, and fix the allowance to the auditor for his services, and may, in cases where it shall seem proper, in like manner fix and allow to the plaintiff's attorneys, a reasonable special fee, such allowances to be taxed in the costs and satisfied out of the defendant's estate; after the defendant shall have entered appearance as above provided no auditor shall be appointed, and if one has been already appointed he may, by rule of court, be discharged, the court or a judge making a proper allowance for his services, if any, to be paid in the first instance and ultimately as may be determined in the rule.

Allowances  
to auditor  
and attorney.

If defendant  
enter appear-  
ance.

2. That section twenty-six of the above-recited act be and the same is hereby amended so that the same shall read as follows:

Section 26  
amended.

26. Where final judgment on the report of the auditor shall be entered against the defendant, the auditor may, by order of the court, make sale, assurance and conveyance of the lands and tenements of the defendant on which the attachment remains a lien, or so much thereof as shall be necessary to satisfy the debts of the plaintiff and applying creditors; like notice of such sales shall be given as is required to be given of the sales of land under execution at law; real estate shall not be sold in less than two months from the time of entering the writ of attachment in the clerk's office; personal property, including rights, credits, choses in action and effects may be sold by the auditor or sheriff under order of the court or a judge, either before or after judgment and at private or public sale; like notice of a public sale thereof shall be given as is required to be given of the sale of chattels under execution at law; the plaintiff or any applying creditor may become purchaser at any sale of real or personal property; and every grant, bargain, sale, assignment, transfer, assurance, alienation and conveyance made by the auditor or other officer, under and by virtue of this act, shall be as good and as effectual in law as if executed by the defendant, at and before the time when the attachment be-

Sale, transfer  
of property,  
etc., by audi-  
tor.

Notice of sale.

came a lien upon the estate, real or personal, so sold, assigned or conveyed.

3. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 254.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting the fees of surrogates, register of deeds and mortgages, county clerks and sheriffs, in certain counties of this State, and providing salaries for such officers,' approved March thirtieth, one thousand nine hundred and six," approved March twenty-ninth, nineteen hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section one of the amendatory act be and the same is hereby amended to read as follows:

1. Section four of the act to which this is an amendment be and the same is hereby amended to read as follows:

4. The said surrogates, registers of deeds and mortgages, county clerks and sheriffs shall receive, in lieu of all other compensation, annual salaries as follows: In counties having between one hundred and twenty-five thousand and three hundred thousand inhabitants, six thousand five hundred dollars; in counties having between one hundred thousand and one hundred and twenty-five thousand inhabitants, five thousand five hundred dollars; in counties having between sixty-five thousand and one hundred thousand inhabitants, four thousand five hundred dollars; in counties having between fifty thousand and sixty-five thousand inhabitants, three thousand five hundred dollars; in counties having

Section 1  
amending  
section 4  
amended.

Salaries of  
county officers  
in certain  
counties.

between twenty-four thousand and fifty thousand inhabitants, two thousand five hundred dollars; in counties having less than twenty-four thousand inhabitants, two thousand dollars; to be paid by the proper disbursing officer of their respective counties in equal monthly payments. Such salaries shall be determined and paid upon the basis of population shown by the latest State or National census promulgated, without regard to the date of election or appointment of such surrogates, registers of deeds and mortgages, county clerks and sheriffs; *provided*, that nothing contained in this act shall be applied to effect a reduction in the salary of any such surrogate, register of deeds and mortgages, county clerk or sheriff during the term of office to which he has been or may be elected or appointed immediately preceding the promulgation of such State or National census. Said surrogates, county clerks, registers of deeds and mortgages and sheriffs in any county of this State shall select and employ the necessary deputies and assistants for said offices respectively, who shall receive such compensation as shall be approved by the judge of the Court of Common Pleas of their respective counties, by certificate filed by said judge in the office of the clerk of the respective counties, such compensation to be paid monthly by the proper disbursing officers of said counties, upon warrants approved by said surrogates, county clerks, registers of deeds and mortgages and sheriffs.

Proviso.

Deputies and assistants.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 255.

An Act to amend an act entitled "An act respecting the Orphans' Court and relating to the powers and duties of the ordinary and the Orphans' Court and surrogates (Revision, one thousand eight hundred and ninety-eight)," approved June fourteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 114  
amended.

1. Section one hundred and fourteen of an act entitled "An act respecting the Orphans' Court and relating to the powers and duties of the ordinary and the Orphans' Court and surrogates (Revision, one thousand eight hundred and ninety-eight)," approved June fourteenth, one thousand eight hundred and ninety-eight, be and the same is hereby amended so that it shall read as follows:

Accountings  
by executors,  
administrators,  
etc.

114. Every executor, administrator, guardian or trustee under a will shall state and settle his account in the surrogate's office within one year after his appointment, or at the first regular term of the Orphans' Court after the expiration of said year, unless the court for good cause shown allow further time therefor; *provided, however*, that where an executor, administrator, guardian or trustee hath died or shall die without having filed an account or fully settled up and obtained an allowance of his account of the administration of the estate that has come into his hands, the executor or administrator of such deceased executor, administrator, guardian or trustee under a will shall exhibit to the surrogate of the county wherein letters were issued or appointment made, in order to have the same duly settled and allowed, an account of the receipts and disbursements of such deceased executor, administrator, guardian or trustee in his lifetime, together with a

Proviso.

Settlement by  
executor, etc.,  
of deceased  
executor, etc.

Account of  
deceased ex-  
ecutor, etc.,  
presented.



statement of any and all assets which have come into his hands, or of so much thereof as remain unsettled at the time of the death of such deceased executor, administrator, guardian or trustee, and for that purpose the Orphans' Court shall, upon duly verified petition presented by any party in interest, issue a citation to any such executor, administrator or trustee requiring him to file such account or statement within such time as the court shall direct.

2. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 256.

An Act to incorporate the township of East Chester, in the county of Burlington and State of New Jersey.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The inhabitants of that portion of the township of Chester, in the county of Burlington, hereinafter set forth, are hereby constituted and declared to be a body corporate in fact and in law by the name of the township of East Chester, in the county of Burlington, and shall be governed by the general laws of this State relating to townships.

Part of Chester township set off as East Chester township.

2. The boundaries of the said township shall be as follows:

Boundaries of township of East Chester.

Beginning at a point in the division line between Chester township and Cinnaminson township and in the middle of the north branch of Pensauken creek and extending thence (1) along the middle of said creek the several courses and distances (the general direction being southeasterly) to the mouth of Errickson's run; thence (2) along the middle of said run the several courses and distances (the general direction being northeasterly) to the middle of the road leading from

Lenola station to Fork landing; thence (3) south 28 degrees 26 minutes east, along the middle of said road 10.5 feet to the corner of property of Christopher Wissman; thence (4) north 44 degrees 14 minutes east along the line between said Wissman, George Brown and Joseph Errickson, 1287.6 feet to a stone, corner to said Brown and Errickson; thence (5) south 40 degrees 10 minutes east, still along the line between said Errickson and Brown, crossing lands of Clayton L. Andrews and Timothy Middleton, 2704 feet to the north line of the right of way of the Camden and Burlington County Railroad; thence (6) south 1 degree 56 minutes west 1490 feet to a point in the middle of Camden avenue and corner to Mt. Carmel cemetery and S. Thornton Hollingshead; thence (7) south 26 minutes west, along the line between said cemetery and Hollingshead, 424.5 feet to a stone; thence (8) south 26 degrees 46 minutes east 2265.1 feet to the middle of the bridge over the north branch of Pensauken creek on Haddonfield road; thence (9) south 47 degrees 52 minutes west along the middle of Haddonfield road 484 feet to a corner between Arthur J. Collins and Ebenezer Roberts; thence (10) south 42 degrees 52 minutes east, along the division line between said Collins and Roberts 99.45 feet to a stone; thence (11) north 47 degrees 52 minutes east, parallel with Haddonfield road and still along line between said Collins and said Roberts, 150.2 feet to a marble stone; thence along the line between Arthur J. Collins and property of Chester township the next twenty (20) courses as follows: (12) south 42 degrees 40 minutes east 251.6 feet to a marble stone; (13) south 36 degrees 7 minutes west 196.03 feet to a marble stone; (14) south 42 degrees 27 minutes east 132.5 feet to a marble stone; (15) north 59 degrees 20 minutes east 281.75 feet to a marble stone; (16) south 26 degrees 45 minutes east 260.65 feet to a marble stone; (17) south 49 degrees 30 minutes west 115.75 feet to a marble stone; (18) south 16 degrees 1 minute east 523.3 feet to a marble stone; (19) south 57 degrees west 278 feet to a marble stone; (20) south 23 degrees 38 minutes east 410.63 feet to a

marble stone; (21) north 66 degrees 10 minutes east 158.17 feet to a marble stone; (22) south 32 degrees 25 minutes east 45.25 feet to a marble stone; (23) north 46 degrees 43 minutes east 176 feet to a marble stone; (24) north 29 degrees 9 minutes east 710.75 feet to a marble stone; (25) south 68 degrees 7 minutes east 107.5 feet to a marble stone; (26) south 51 degrees 47 minutes east 294.36 feet to a marble stone; (27) north 86 degrees 53 minutes east 392.04 feet to a marble stone; (28) south 67 degrees 7 minutes east 137.94 feet to a marble stone; (29) south 18 degrees 2 minutes east 101.64 feet to a marble stone; (30) south 10 degrees 28 minutes west 282.48 feet to a marble stone; (31) south 52 degrees 27 minutes east 269.94 feet to a marble stone in the line of lands of John Workman; thence (32) north 58 degrees 28 minutes east, along said Workman 46.86 feet to the middle of the north branch of Pensauken creek; thence (33) down the middle of said creek the several courses and distances (the general direction being southeasterly) to the division line between Chester township and Mt. Laurel township; thence (34) northeasterly along said division line to a small stream emptying into Parker's creek; thence (35) down the said stream and still along the said division line the several courses and distances (the general direction being northeasterly) to the middle of Parker's creek; thence (36) along the middle of Parker's creek and still along the division line between Chester township and Mt. Laurel township, the several courses and distances (the general direction being northeasterly) to the middle of Rancocas creek, in the division line between Chester township and Willingboro township; thence (37) down the middle of said creek along the division line between Chester and Willingboro townships the several courses and distances (the general direction being northwesterly) to a corner of Delran township, at the mouth of a small creek; thence (38) along middle of said creek in the division line between Chester and Delran townships, the several courses and distances (the general direction being westerly) to a corner near creek road; thence

(39) still along division line between Chester township, Delran township and Cinnaminson township westerly to the place of beginning.

Referendum.	3. This act shall take effect immediately; <i>provided</i> ,
Special election.	it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a township of this State until it shall be submitted to the voters of the above-described township of Chester, at a special election to be held within said township and at said election adopted by a majority of the legal votes cast at such election by the legal voters residing within the said township on the day of the passage hereof.
When held.	Said special election shall be held within the said township within sixty days from the approval of this act, and between the hours of six (6) A. M. and seven (7) P. M., on a day to be fixed by the clerk of the township of Chester, in the county of Burlington, at the usual polling places of said township of Chester. The clerk of the said township shall cause public notice of the time and places of holding said election to be given by advertisements signed by himself and set up in at least ten public places within the said described territory, and published in one newspaper circulating therein at least ten days prior to such election. The said public notice must be given by said township clerk within thirty days after the approval of this act, and upon his failure to do so then any three resident taxpayers within the above-described territory may cause such notice to be given and such election shall be held in accordance therewith. Such election shall be held at the time and place so appointed and be conducted by the present boards of registry and election for the election districts of the township of Chester, in the county of Burlington, and the said clerk of the township of Chester shall provide for each elector voting at such election, ballots, to be printed or written, or partially written and partially printed, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions in the following form:
Notice of election.	
Election, how conducted.	If you favor the proposition printed below make an X mark in the square to the left of and opposite the
Ballots.	
Question submitted.	

word "Yes"; if you are opposed thereto make an X mark in the square to the left of and opposite the word "No".

	Yes.	Shall an act entitled "An act to incorporate the township of East Chester, in the county of Burlington and State of New Jersey," be adopted?
	No.	

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "Yes", it shall be counted as a vote in favor of such proposition. Voting.

If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word "No", it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite the word "Yes" or "No", it shall not be counted as a vote for or against such proposition.

Such election shall be held at the time and place so appointed and shall be conducted by the officers of the election district of said township of Chester, but no special form of ballot and no envelope need be used by any voter at said election. The officers of each election district shall make return to the township committee of the township of Chester within two days after said election, by a statement of the result thereof in writing under their hands and the same shall be entered at length on the minutes of the said township committee, and upon the adoption of this act by a majority of said electors as aforesaid, and not otherwise, this act shall in all respects be operative. Election officers.

4. The registers of voters within said township of Chester to be used in the conduct of such special election shall be prepared and made up by the boards of registry and election of the said township of Chester which conducted the general election next preceding the Returns.

Registry.

Meeting to  
make new  
register.

Registering  
by affidavit.

Statement of  
result of elec-  
tion filed.

holding of such election in said township in each of the election districts of said township of Chester and for that purpose the said boards shall meet at the usual place for holding elections within said township of Chester and at such time as shall be designated by the clerk of the township of Chester at least one week preceding said special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Chester by posting notices thereof in at least five of the most public places in said township, of Chester, at least five days prior to said meeting. Said meeting of the boards of registry and election for the making up of said new register of voters shall begin at one o'clock in the afternoon and continue until nine o'clock of the evening of the day fixed for that purpose, and said boards shall insert in said new register the names of all persons who are legal voters within said township at the time of the passage of this act and who shall appear in person before them and establish to the satisfaction of the majority of said board that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said township at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said township to be entitled so to vote. A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him, and on the following day one copy of said register shall be mailed to the chairman of the county board of elections of Burlington county, to be filed by said board, and one copy shall be retained for the use of said township board of election at such special election.

5. Immediately after the statement of the result of such election shall be made to the township committee of the said township of Chester another copy of said statement, certified by the clerk of the township of Chester shall be filed by him in the office of the county clerk of the county of Burlington.

Approved March 29, 1917.

## CHAPTER 257.

An Act to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to incorporate the chosen freeholders in the respective counties of this State" (Revision), approved April sixteenth, one thousand eight hundred and forty-six,' which supplement was approved April eleventh, one thousand eight hundred and eighty-nine," the amendatory act having been approved April sixth, one thousand nine hundred and eleven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Amend section one to read as follows:

1. Section one of the act to which this is an amendment be and the same is hereby amended to read as follows:

Section 1  
amended.

1. The board of chosen freeholders in any county of the first class within this State, and in which there is or may hereafter be established by law a county board of health, shall appropriate and set apart a sum not to exceed seven thousand five hundred dollars annually for the construction, maintenance and repair of a public hospital for such county for the treatment of cases of a contagious nature, other than smallpox.

Appropriation  
for county  
hospital for  
contagious  
diseases.

2. Amend section two to read as follows:

2. Section two of the act to which this is an amendment be and the same is hereby amended to read as follows:

Section 2  
amended.

2. It shall and may be lawful for such board of chosen freeholders to render annually to such board of health the said sum not to exceed seven thousand five hundred dollars, to be by said board of health expended for the purposes aforesaid.

Sum annually  
rendered.

3. This act shall take effect immediately.

Approved March 29, 1917.

## CHAPTER 258.

An Amendment to an act entitled "An act for the assessment and collection of taxes, approved April eighth, one thousand nine hundred and three."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Subdivision  
(1), section 3,  
amended.

1. That section three, subdivision one, of an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, be amended to read as follows:

Securities of  
U. S., State,  
county, school  
district, etc.,  
exempt from  
taxation.

(1). The bonds and other securities of the United States, other than circulating notes of national banking associations and United States legal tender notes and other notes and certificates of the United States, payable on demand and circulating or intended to circulate as currency and gold, silver or other coin, and all bonds, securities, improvement certificates and other evidences of indebtedness, heretofore or hereafter issued by this State or by any county thereof, or by any taxing district or school district of this State, and the personal property owned by citizens or corporations of this State situate and being out of the State upon which taxes shall have been actually assessed and paid within twelve months next before May twentieth, being the day prescribed by law for commencing the assessment.

2. This act shall take effect immediately.

Approved March 29, 1917.



## CHAPTER 259.

A Supplement to an act entitled "An act to authorize and empower the Chancellor to fix and determine the salary or compensation to be paid to the several sergeants-at-arms at the several Chancery chambers," approved March thirteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of the act to which this is an amendment is hereby amended to read as follows:

Section 1  
amended.

1. After service of at least five years, the annual salary or compensation to be paid to each of the sergeant-at-arms connected with the several Chancery chambers of this State may be raised by the Chancellor one hundred dollars per annum until the maximum of eighteen hundred dollars is reached.

Salary of  
sergeant-at-  
arms.

2. This act shall take effect immediately. •

Approved March 31, 1917.

## CHAPTER 260.

A Supplement to an act entitled "An act concerning contagious and infectious diseases among cattle; regulating the importation of cattle into this State, and providing measures to check the spread of diseases among cattle in this State; creating the Commission on Tuberculosis Among Animals, prescribing its powers and duties, and fixing penalties for violations of this act," approved April twenty-fourth, one thousand nine hundred and eleven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Admission of  
tuberculosis  
free cattle,  
if certified.

1. Cattle from herds which have been officially accredited as tuberculosis free herds by the board or body having jurisdiction over tuberculosis in cattle in the State from which such cattle may be imported, and being duly authorized to accredit such herds as tuberculosis free herds, may be imported into this State at the discretion of the Department of Agriculture without being tuberculin tested if accompanied by a report of examination and tuberculin test made by a competent veterinarian, under the supervision of said board or body, not earlier than one year previous to the date of shipment, which certificate shall certify that the cattle are free from tuberculosis and all other transmissible diseases; *provided, however*, that certificates shall accompany such shipment as prescribed by the act to which this act is a supplement, except in so far as the requirements of said act are specifically modified by this supplement.

Proviso.

2. This act shall take effect immediately.  
Approved March 31, 1917.

## CHAPTER 261.

An Act to provide for pasteurizing the by-products of cheese factories, creameries, skimming stations and other places where milk is received and distributed.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Every owner, operator or manager of a cheese factory, creamery, skimming station or other place where milk is received and the by-products distributed, shall, before returning to or delivering to any person or persons any skim milk, whey, buttermilk, or other milk by-products to be used for feeding purposes for farm animals, cause such skim milk, whey, buttermilk, or other milk by-products to be thoroughly pasteurized by heating the same to one hundred forty-five degrees Fahrenheit and holding at that temperature for not less than thirty minutes, or to one hundred eighty-five degrees without holding; *provided*, that the provisions of this act shall not apply to cheese factories or creameries that pasteurize the milk or cream prior to manufacture.

Pasteurizing  
by-products  
of milk before  
delivery.

Proviso.

2. Any person or persons violating any of the provisions of this act shall, upon conviction, be subject to a penalty of not exceeding fifty dollars for the first offense, and to a penalty of not exceeding one hundred dollars for the second and each subsequent offense. Any penalty incurred under the provisions of this act shall be sued for and recovered in an action of debt by and in the name of the Department of Agriculture of the State of New Jersey. All penalties collected under this act shall be paid by said department into the treasury of the State of New Jersey.

Penalty.

Recovery and  
disposition  
of penalty.

3. This act shall take effect September first, one thousand nine hundred and seventeen.

Approved March 31, 1917.

## CHAPTER 262.

An Act concerning the compulsory insurance of payment of damages awarded in actions for personal injuries or death arising under section one of the act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination thereunder," approved April fourth, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Compulsory insurance of compensation payments extended to all contracts of employment.

1. The provision of a bill pending entitled "An act concerning the compulsory insurance of compensation payments arising under section two of the act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven," hereinafter referred to as the Workmen's Compensation Act, are hereby extended to and shall be applicable to and control all contracts of employment existing or which shall hereafter exist under the provisions of section one of the said Workmen's Compensation Act, provided said bill becomes a law.

Repealer.

2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect July fourth, one thousand nine hundred and seventeen.

Approved March 31, 1917.

## CHAPTER 263.

An Act to amend an act entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State,' approved April twenty-fifth, one thousand nine hundred and eleven," the title to which was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Wherever the provisions of the act to which this act is supplemental have been adopted by any municipality having a population of more than five thousand, and less than seventy-five thousand inhabitants either prior or subsequent to the passage of this act, the district boards of registry and election in all districts in the said municipalities shall meet such day as the board of commissioners may designate, not more than twenty nor less than ten days preceding a municipal election of commissioners under the act to which this act is supplemental, at seven o'clock in the forenoon and continue in session until nine o'clock in the evening, for the purpose of registering the names of all legal voters, residents of the election districts for which they are appointed; *provided, however,* that it shall not be necessary for any voter to register who is already properly registered to vote at the next preceding general election under any other act.

Registration  
of voters.

Proviso.

2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved March 31, 1917.

## CHAPTER 264.

An Act authorizing educational corporations whose grounds are open to the public to acquire additional land by purchase or condemnation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Authority to  
acquire addi-  
tional land.

1. Whenever, in the judgment of the board of trustees or other board or body having control of any corporation created by any law of this State for educational purposes, which corporation owns and maintains grounds open to the public for park or recreation purposes, it shall be deemed desirable to acquire additional grounds adjoining on three sides the land already owned by such corporation, the said board of trustees or other board or body having control of such corporation shall have the power and authority to purchase and take title to such lands.

If unable  
to acquire  
land, con-  
demnation  
proceedings  
may be taken

2. When such board of trustees or other board or body having control of such corporation shall deem it desirable to acquire any such land as above described,  
• and the said body or board, or its agents, cannot agree with the owner or owners of said land as to the price or terms of the purchase thereof; or when, by the incapacity or absence of such owner or owners, or his or their inability to convey valid title, no agreement can be made for the purchase thereof; or when, for any other reason, said board or body cannot arrange for the purchase thereof, it shall be lawful for said board or body to acquire such land by condemnation according to the practice and proceedings and pursuant to "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of one thousand nine hundred)," and the several supplements thereto and amendments thereof. *Provided*, that this act shall not apply to the con-

Proviso.

demnation of any land owned by any religious, charitable or educational society or corporation; *provided, further*, that no application or proceeding shall be instituted for condemnation of any such land as above described except by and with the consent, expressed by resolution or ordinance of the governing body of the city, borough, village, town or township, wherein the land sought to be condemned is situated, after due notice to the property owner or owners affected.

Proviso.

Consent of governing body.

Approved March 31, 1917.

## CHAPTER 265.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Whenever the amount of money appropriated for vocational schools by the State Legislature, together with the amount certified by the Commissioner of Education to the Comptroller for apportionment to said schools, shall be less than the amount legally applied for by the several schools, then there shall be paid to each such school such proportionate share of the amount applied for as the total amount applied for shall bear to the total amount of the appropriation and apportionment for that year; *provided*, that nothing in this act contained shall pertain to a county vocational school or schools; *provided, further*, that nothing in this act shall be construed to relieve the State of its obligation to-

Proportionate payments for vocational schools.

Proviso.

Proviso.

wards the districts in regard to the vocational school funds.

2. This act shall take effect immediately.

Approved March 31, 1917.

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### CHAPTER 266.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Proportionate  
payments for  
manual training.

1. Whenever the amount of money appropriated by the State for manual training in any one year is less than the total amount legally applied for by the school districts then there shall be paid to each district its proportionate share of the amount applied for based on the ratio of the amount of the appropriation for that year to the total amount applied for; *provided*, nothing in this act shall be construed to relieve the State of its obligation towards the districts in regard to the manual training funds.

Proviso.

2. This act shall take effect immediately.

Approved March 31, 1917.



## CHAPTER 267.

A Supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever the amount of money appropriated by the State for evening schools for foreign-born residents in any one year is less than the total amount legally applied for by the school districts then there shall be paid to each district its proportionate share of the amount applied for, based on the ratio of the amount of the appropriation for that year to the total amount applied for.

Proportionate  
payments for  
night schools  
for foreign-  
born-residents.

2. This act shall take effect immediately.

Approved March 31, 1917.

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CHAPTER 268.

An Act to provide compensation for employees of the State or any subdivision or municipality thereof, while performing military duty as members of the National Guard.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. It shall be lawful for the departments, institutions, committees, commissions or other bodies of the State or any subdivision or municipality thereof, to pay the

Pay for gov-  
ernment em-  
ployees doing  
military serv-  
ice.

Proviso

salaries or compensation of their employees or attaches during the time said employees or attaches, as members of the National Guard of this State, are performing military duty incident to current war conditions; *provided, however*, that such salary or compensation shall not be paid to any commissioned officer of said National Guard.

2. This act shall take effect immediately.

Approved March 31, 1917.

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### CHAPTER 269.

An Act regulating the appointment of members of the Board of Medical Examiners, pursuant to an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four; members of the Board of Architects, pursuant to an act entitled "An act to regulate the practice of architecture," approved March twenty-fourth, one thousand nine hundred and two; members of the Board of Undertakers and Embalmers, pursuant to an act entitled "An act to regulate the practice of embalming, burial and disposal of dead human bodies, to license undertakers and embalmers, and to punish persons violating the provisions thereof," approved May twelfth, one thousand nine hundred and six; members of the State Board of Veterinary Medical Examiners, pursuant to an act entitled "An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of New Jersey, to license veterinarians, and

to punish persons violating the provisions thereof," approved March seventeenth, one thousand nine hundred and two; members of the New Jersey State Board of Optometrists, pursuant to an act entitled "An act to regulate the practice of optometry, to license optometrists, and to punish persons violating the provisions thereof," approved April seventeenth, one thousand nine hundred and fourteen; members of the State Board of Registration and Examination in Dentistry, pursuant to an act entitled "An act to regulate the practice of dentistry in the State of New Jersey, and to repeal certain acts now relating to the same," approved March thirty-first, one thousand nine hundred and fifteen; members of the State Board of Examiners of Nurses, pursuant to an act entitled "An act to regulate the practice of nursing in the State of New Jersey, to register nurses with the privilege of using the abbreviation 'R.N.,' and to punish persons violating the provisions thereof," approved April first, one thousand nine hundred and twelve, and the various acts supplementary and amendatory of the acts hereinabove recited, and to fix the compensation and allowances to members of said board.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All the members of the Board of Medical Examiners, Board of Architects, Board of Undertakers and Embalmers, State Board of Veterinary Medical Examiners, New Jersey State Board of Optometrists, State Board of Registration and Examination in Dentistry and State Board of Examiners of Nurses shall be appointed by the Governor from a list to be furnished by the society or organization of whom the persons nominated are members, if there be such a society or organization, or if such society or organization has a membership in good standing of not less than one hundred,

List of names  
furnished  
Governor from  
which he may  
make nomina-  
tions.

and for every membership to be filled in any of said boards at least three names shall be submitted to the Governor, and from the names thus submitted the Governor may select one person to be a member of said board.

Expenses met.

Expenditures  
from income.

License fee.

Funds for  
holding ex-  
aminations.

Balance turned  
into treasury.

Accounts.

2. Every member of any of the above-named boards shall be entitled to his actual traveling and other expenses incurred in the performance of his duties, which sum shall be paid from the license fees and other sources of income of the respective boards. Each of said boards shall also be entitled to expend from its income such sums as shall be necessary to defray all proper expenses incurred by it in the performance of its duties. Each of said boards which is or hereafter shall be authorized to collect an annual registration or annual license fee from persons licensed by it may retain in its treasury the sums heretofore or hereafter collected for annual registration or annual license fees and use the same for the purpose of defraying the expenses of securing evidence against and prosecuting persons violating the provisions of the acts of the Legislature with the enforcement of which it is charged, or in case the revenue of said board from other sources shall be insufficient to pay the salary of its secretary and its other expenses such fees may be expended for such purposes. Each of said boards shall be entitled to retain, in addition to the above, at least one hundred dollars in its treasury for the purpose of preparing and holding examinations for applicants for license to practice any of said professions. On or before the thirty-first day of October in each year each of said boards shall pay to the Treasurer of this State all moneys remaining in the treasury of said board, except as above stated, which said sum, when paid into the treasury of this State, shall form a part of the State fund. Each of said boards shall keep accurate accounts of its receipts and expenditures, which said accounts shall be subject to audit by the State Comptroller.

3. This act shall take effect immediately.

Approved March 31, 1917.

## CHAPTER 270.

A Supplement to an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The common council or other governing body of any municipality or taxing district in this State may, by resolution or ordinance, appoint the solicitor, attorney or corporation or city counsel of such municipality as the collector of any or all delinquent taxes or assessments within such municipality or district, and in any such case after such appointment said solicitor, attorney or counsel shall thereupon be charged with all the duties of the collector of such municipality or district, with respect to such delinquent taxes or assessments, and shall have all the powers in relation to the collection thereof, delegated to the tax collector in such municipality or district by the act to which this act is a supplement. Such attorney, solicitor or counsel, when so appointed, shall enforce the lien for any such delinquent tax or taxes, assessment or assessments, by selling the land against which the same is assessed or levied, or such part thereof as may be sufficient for the purpose, as provided in the act to which this act is a supplement.

Municipal attorney as collector of delinquent taxes.

Duties and powers.

Sell land to enforce lien.
2. All sales of land for delinquent taxes or assessments heretofore made by any such attorney, solicitor or counsel of any municipality or taxing district in this State, duly appointed for that purpose by such taxing district or municipality, are hereby validated and confirmed.

Sales validated.
3. This act shall take effect immediately.

Approved April 2, 1917.

## CHAPTER 271.

An Act to provide for the employment of inmates of county jails, and to provide for payments therefor.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Employment  
of county  
prisoners.

1. The board of chosen freeholders of any county in this State may cause to be employed within such county any or all prisoners in any county jail under sentence, or committed for nonpayment of a fine and costs, or committed in default of bond for nonsupport of the family.

In custody  
of sheriff.

2. When prisoners are so employed they shall be in the custody and control of the sheriff, who shall make rules and regulations governing their employment. The sheriff may provide necessary guards and attendants while prisoners are so employed and fix their duties and salaries, as well as the terms of their employment.

Guards.

Wages and  
expenses part  
of cost of  
work.

3. The wages and salaries of such guards and attendants, and other necessary expenses in connection therewith, together with wages or earnings paid to prisoners as hereinafter provided, shall be included in and shall be charged against the cost of such work.

Wage system.

4. The board of chosen freeholders may establish a wage system for payment to prisoners for their services upon work carried on by the board of chosen freeholders or by any board, commission or institution that receives funds from the county, and such wage system may include in its provisions all prisoners employed in any work or service necessary for the maintenance of said jail or their inmates; *provided*, that the wages set by the board of chosen freeholders shall not exceed fifty cents per day for each day of eight hours' work by such prisoners.

Proviso.

Prisoner's  
wage paid to  
dependents.

5. When it shall appear that prisoner has a wife or dependent children, or others legally dependent upon

him for support, the board of chosen freeholders shall have power and authority in each case to pay to such dependent persons aforesaid, or to the society or institution having the care and custody of such dependent persons aforesaid, all or any portion of the wages earned by said prisoner for work done under the provisions of this act; *provided, however*, that the court costs, if any, charged against said prisoner may first be deducted and the balance of such amount remaining in the hands of the board of chosen freeholders, or as the sum becomes due, for the work performed by such prisoner may be disbursed by the said board of chosen freeholders to the several dependents under such rules and regulations as they may adopt; and they may designate any officer or employee of the county as the disbursing agent of such earnings of prisoners; and in the delivery of the said earnings to the prisoners, or their dependents, such designated officer or employee may avail himself of the services of the county probation officer, overseer of the poor, or of any private charitable society or society for the prevention of cruelty to children.

Provide.

Disbursing officer.

6. The judge of the Court of Common Pleas of any county is hereby authorized in his discretion, upon the recommendation of the sheriff, to grant a parole in the custody of the county probation officer, or of any other fit person whom the court may designate, to any prisoner under sentence to confinement in the common jail of said county, upon terms to be fixed by the judge, and the earnings of such prisoner while on parole shall be paid by the employer to the parole agent so designated, to be disbursed by him for the benefit of such prisoner, or such person or persons as may be legally dependent on the prisoner for support in the manner directed by the court when parole is granted. The county probation officer or parole agent may at any time return such paroled prisoner to the common jail by reason of a breach of the conditions of parole, and the sheriff or keeper of such jail will receive the prisoner on certificate of the county probation officer or parole agent stating

Parole of prisoners by court.

If parole violated, prisoner returned to jail.

such breach of conditions, whereupon such return and the reason therefor shall be immediately reported to the judge. In no case shall the term of parole exceed the time for which the prisoner was sentenced.

7. This act shall take effect immediately.

Approved April 2, 1917.

## CHAPTER 272.

An Act to amend an act entitled "An act relating to official searches and certificates as to tax, assessment and other municipal liens," approved June thirteenth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section 2  
amended.

1. Section two of the act of which this act is amendatory, be and the same is hereby amended to read as follows:

Only authorized officers  
to make official certificates.

2. A. No collector of taxes, treasurer or other officer of any city, town, township, borough, or other municipality, shall make any official certificate as to what taxes, assessments or other liens appear against any real estate, unless he shall be duly authorized and empowered to do so by statute, or by resolution of the common council or township committee of the municipality in which he holds his office.

Bonded officer  
appointed to  
make searches.

2. B. The common council or township committee of each municipality in this State shall, by resolution, on or before the first day of July, nineteen hundred and seventeen, appoint the collector of taxes, treasurer or other bonded official of such municipality, to make examinations of the records of such municipality, as to unpaid taxes, assessments, and other liens affecting property therein, and to certify the result thereof; thereafter such function shall attach to the office of col-

Function  
vested in ap-  
pointee.



lector, treasurer or other official designated by such resolution, and each new incumbent of such office shall be vested with the same powers and duties as this act confers on the original appointee; *provided*, that it shall be competent for the common council or township committee, by subsequent resolution, to change the office to which such functions shall attach.

Proviso.

2. C. Such official shall, upon receipt of a written application from any person or corporation, containing a diagram showing the location and dimensions of the tract of land to be covered by the certificate, and the name or names of the owner or owners of said tract, make an examination of the records of the municipality, and, within ten days after receipt of the application, issue a certificate certifying what taxes, assessments, or other municipal liens or charges, if any, have been levied or assessed against the property described in the application, and are liens thereon at the date of the certificate.

Examination made on application.

Issue certificate.

2. D. The official appointed as aforesaid, shall be entitled to demand and receive, for each certificate issued by him, reasonable fees, not in excess of those hereinafter mentioned: When the property described in the application, is shown on the assessment map of the municipality subdivided into city lots, and does not exceed five thousand square feet in area, the sum of two dollars, and for each additional five thousand square feet in area, or fraction thereof, an additional sum of twenty-five cents; when the property is shown on the assessment map of the municipality as acreage, or is so assessed, and lies wholly within the limits of a single block, the sum of two dollars, and if within the limits of two or more blocks an additional sum of fifty cents for each block; *provided, however*, that whenever the property described in the application is, or has been, subdivided and assessed as more than one item, an additional fee of fifty cents shall be allowed for each subdivision separately assessed; *provided, further*, that no charge in excess of five dollars shall be made for a certificate covering lands lying wholly within one block, as shown on the assessment map of the municipality,

Searching fees.

Proviso.

Proviso.

- Proviso. unless there is a subdivision of proprietorship indicated by the assessments; *and provided, further*, that whenever the holder of a certificate issued as aforesaid shall, within three years from the date thereof, apply for a continuation thereof, the fees charged therefor shall not be in excess of fifty cents per year; *and provided, further*, that nothing herein contained shall be construed to diminish the fees now allowed by law to any official of a city of this State for making searches and issuing certificates as aforesaid, *and provided, further*, that all fees collected under the provisions of this act shall be paid by such official collecting the same to the governing body thereof for the use of such municipality, *and provided, further*, that all searches so made shall be certified to as correct by the proper officers of such municipality wherein the same is made.
- Proviso.
- Proviso.
- Proviso.
- Repealer. 2. E. All acts and parts of acts inconsistent with this act be and the same are hereby repealed and this act shall take effect immediately.
- Approved April 3, 1917.

## CHAPTER 273.

An Act to amend an act entitled "An act authorizing the appointment of district boards of water supply commissioners in the water supply districts created by an act entitled 'An act to create two water supply districts in the State of New Jersey, to be known respectively as the North Jersey Water Supply District and the South Jersey Water Supply District,' and defining the powers, duties, terms of office and compensation of such commissioners; and providing for the obtaining, maintenance and operation of water supplies or new or additional water supplies by said commissioners as agents of and by contract with municipal and other corporations in their respective water districts, and further providing for the raising, collecting and expenditure of the moneys necessary therefor," approved March sixteenth, one thousand nine hundred and sixteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section eight of the act to which this act is an amendment is hereby amended to read as follows:

Section 8  
amended.

8. The said district water supply commission shall thereupon proceed to formulate plans for obtaining a water supply or a new or additional water supply for said municipality and any other municipalities that may desire water from such joint water supply, as provided for herein, and to estimate the cost thereof, and the annual cost of operating the same, and the probable share of said cost which each of such municipalities will be called upon to pay for its share of water supply and plant used in common with other municipalities, and the cost of any distribution system, water supply or plant ac-

Plans, estimates, annual cost etc.

What contract to provide.

Quantity of water to be taken and payments.

Exercise right of eminent domain.

May acquire water system.

quired or constructed for its individual use, and to report the said plans to the said municipalities, together with a form of contract, providing for the raising and payment of the necessary funds to meet such cost of acquisition and operation. Such form of contract shall in substance provide that the said district water supply commission shall proceed to acquire or construct the water supply substantially as described in its said report, and that it shall operate the same when completed for account of such municipality or municipalities as may contract therefor as herein provided. Said contract shall further provide that each municipality shall take at least the quantity of water annually as specified in the contract, and shall pay to the said district water supply commission such sums of money as shall be needed by the said district water supply commission to defray the cost of the acquisition or construction and operation of such water supply, at such times as may be determined and requested by said commission and in the manner and in the proportion as is provided in section fifteen of this act; but no municipality shall be required to pay any part of the cost of acquisition or construction or operation of any water plant, or part thereof, which is not to be used in supplying water to such municipality. Said contract shall provide that the contracting municipality will, upon the request of the said district water supply commission, exercise and put in operation all its powers of eminent domain for the condemnation of lands, rights of way, easements, water rights, and other property necessary for such water supply, either within or outside the territory of such contracting municipality.

It shall be lawful for the said commission at the request of one or more municipalities to acquire in its own name, but as trustee for such municipality or municipalities, by private purchase, the whole or any part of any water works property, including pipe lines, rights of way, easements and contracts, held or owned by any private corporation or water company subject to a bonded indebtedness secured by mortgage lien or liens thereon, in an amount not to exceed the agreed purchase price of the said property, and subject to or in pursuance of

a contract between the said commission and the owners of the said property to the following effect: that the commission will administer, maintain and operate said property, and will sell water to such municipalities and persons as may be supplied with water from said plant, and such others as may desire to obtain water therefrom; and will pay the interest upon all bonds representing the purchase price thereof; and will annually provide and set aside sinking or other funds sufficient to extinguish said bonds at maturity.

Administration.

Sale of water.

Interest met.

Sinking fund.

In order to carry out said contract with said owners the said commission and any one or more of the municipalities supplied from any water works property so purchased are hereby authorized to enter into a contract substantially as follows:

Nature of contract.

(1) That said commission in making such purchase and in operating and maintaining said plant agrees to act as agent and trustee for said contracting municipalities;

Act as agent;

(2) That said commission may convey to any of said contracting municipalities any portion of the property so purchased which is devoted exclusively to the use of such municipality or municipalities for such price and upon such terms as may be agreed upon:

Convey certain property;

(3) That the commission shall have power to enlarge, replace and keep in repair said water plant;

Maintenance;

(4) That the commission shall supply water to the contracting municipalities and other municipalities using said plant upon such terms as may be mutually agreed upon between the commission and such municipalities;

Terms for supplying water;

(5) That each contracting municipality will pay to the commission, at such times as shall be stated in the contract, the following amounts, viz.:

Payments to commission;

(a) The amount agreed to be paid for the supply of water to said municipality;

Amount agreed;

(b) An amount sufficient to cover interest and sinking fund upon such portion of such property or plant as may have been conveyed by the commission to such municipality as hereinbefore provided;

Interest and sinking fund charges;

Share for  
repairs, etc.;

(c) Its proportionate share of any amount of money required by said commission for repairs, enlargements and extensions of said water plant so purchased;

Additional  
amount;

(d). Its proportionate share of any additional amount of money required by said commission for making the interest, sinking fund or other payment which said commission has agreed or may agree to pay in its contract with the owners of said water works property.

Compel tax  
levy;

(6) That the commission shall have the right to compel the authorities of any contracting municipality, by appropriate legal procedure, if necessary, to put in the tax levy in any year any amount due to the commission under the contract herein authorized, and may assign said right to the trustee of the mortgage securing said bonds for the protection of the holders thereof, and may agree that said trustee shall have the right to take such proceedings in the name of such commission.

Endorse con-  
tract on bonds.

(7) That such commission shall have the right, and it is hereby authorized, to endorse upon any or all of the bonds, subject to which said property was purchased, all or any part of the contract between said commissioners and said owners and said commissioners and said contracting municipalities, or the substance thereof, if and when requested by the owners of any of such bonds; and all such bonds so endorsed shall be a legal investment for savings banks and trust estates in this State, and shall be free from taxation in this State.

Bonds a legal  
investment.

2. This act shall take effect immediately.

Approved April 3, 1917.

## CHAPTER 274.

A Supplement to an act entitled "An act respecting conveyances (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight.

BE IT ENACTED by the *Senate and General Assembly of the State of New Jersey*:

1. When the records disclose that the title to any land is vested partly in the husband, and partly in the husband and wife as tenants by the entirety, and the records further disclose a conveyance by the widow of the entire fee of the land, made after the death of the husband (there being no record of any grant or devise by the husband, or of his heirs, of his or their interest, if any, in said land), and such conveyance by the widow has been followed by possession by her grantee and successor in title, although not adverse in character, it shall be conclusively presumed that said widow, at the time of said conveyance, was seized of an entire estate in fee, and said conveyance shall be and is hereby validated and confirmed as effectual in law; *provided*, said conveyance shall have been recorded for at least sixty years before any action begun by anyone claiming under the husband; *and provided, further*, that this act shall not affect any pending action touching the title to any land so conveyed.

Validity of  
title of cer-  
tain convey-  
ance.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1917.

## CHAPTER 275.

An Act to amend an act entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State,' approved April twenty-fifth, one thousand nine hundred and eleven," which supplement was approved April seventh, one thousand nine hundred and fourteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section 1  
amended.

1. Section one of the act to which this act is an amendment is hereby amended to read as follows:

Cities to  
which act  
applies.

1. In all cities, as defined in the act to which this act is a supplement, which heretofore have adopted or hereafter may adopt the provisions of the act to which this act is a supplement, commissioners provided for in said act shall be nominated and elected only in the manner hereinafter prescribed.

Number of  
commissioners.

In every such city of ten thousand population, or more, five commissioners, and in cities of less than ten thousand population, three commissioners shall be elected at an election to be held on the fifth Tuesday following the election at which the voters shall have voted to adopt the provisions of said act, and on the second Tuesday in May in each fourth year thereafter.

When election  
held.

Election, how  
conducted.

The election officers conducting the last general annual election shall be the officers of the general or any special election, and a municipal election shall be held at the same places and conducted in the same manner, so far as possible, and the polls shall be open and closed at the same hours as provided by the general election laws.

Section 2  
amended.

2. Section two of the act to which this act is an amendment is hereby amended to read as follows:

Naming can-  
didates.

2. The names of candidates for commissioners shall, at least ten days prior to the general or special election,



be filed with the city clerk in the manner and form and under the conditions hereinafter set forth, and the petition of nominations shall consist of individual certificates equal in number to at least one-half of one per centum of the entire vote at the last preceding general election, but in no event less than twenty-five, and said petition shall read substantially as follows:

# PETITION OF NOMINATION.

I, the undersigned, a qualified elector of the city of ..... , residing at ..... , certify that I do hereby join in a petition for the nomination of ..... whose residence is at ..... , for the office of commissioner, to be voted for at the election to be held in such city on the ..... , 19...., and I further certify that I know this candidate to be a qualified elector of said city and a man of good moral character, and qualified in my judgment for the duties of such office, and I further certify that I have not signed more petitions or certificates of nominations than there are places to be filled in the above office.

Form of  
petition.

(Signed) .....

Being duly sworn, deposes and says that he is the person that signed the foregoing certificate; that the statements contained therein are true and correct.

(Signed) .....

It shall be the duty of the city clerk to furnish upon application a reasonable number of forms of individual certificates of the above character.

City clerk to  
furnish blanks.

Each certificate must be a separate paper and must contain the name of but one signer thereto, and no more, and shall contain the name of but one candidate, and no more. Each signer must not, at the time of signing the certificate, have signed more certificates for candidates for that office than there are places to be filled in such office, and in case an elector has signed two or more conflicting certificates, all such certificates shall be rejected.

Certificates  
separate.

Number of  
certificates  
by one signer.

When such a petition of nomination is presented for file to the city clerk he shall forthwith examine the same

Examination  
of certificates  
by clerk.

and ascertain whether it conforms to the provision of this section, and if not found in conformity thereto he shall designate the defect and return the petition to the person signing it, which may again be presented when properly amended.

Section 3  
amended.

3. Section three of the act to which this act is an amendment is hereby amended to read as follows:

Advertisement  
of candidates.

3. Immediately upon the expiration of the time of filing certificates, statements and petitions for candidates, the said clerk shall cause to be published for three successive days in all the daily newspapers published in such city, in proper form, the names of the persons as they are to appear upon the ballots, and if there be no daily newspaper, then in two consecutive issues of any other newspaper that may be published in said city; and the clerk shall thereupon cause the ballots to be printed, authenticated with a facsimile of his signature.

Ballots.

Number and  
delivery of  
ballots.

Having caused said ballots to be printed in the form hereinafter prescribed, the said city clerk shall cause to be delivered at each polling place a number of said ballots, equal to twice the number of votes cast in such polling precinct at the last general election, which ballots shall not be distributed outside the polling place.

Section 4  
amended.

4. Section four of the act to which this act is an amendment is hereby amended to read as follows:

Ballot and  
voting. |

4. The form of ballot and the method of voting at said general or special election shall be as follows:

Form of  
ballot.

I. Except that the crosses here shown shall be omitted, and that in place of the names and officers here shown shall be substituted the names of the actual candidates and the offices for which they are respectively nominated, the ballots shall be in substantially the following form:

General or special municipal election, city of . . . . .  
(inserting date thereof).

#### DIRECTIONS TO THE VOTER.

Explanation  
as to choices.

To vote for any person mark a cross (X) in the square in the appropriate column, according to your choice, at the right of the name voted for.

Second, third or fourth choice is not compulsory.

Vote only as many first choices, or second choices, or third choices, as there are officers to elect.

Vote as many fourth or other choices as you wish.

Vote your first choice or choices in the first column.

Vote your second choices or choices in the second column.

Vote your third choice or choices in the third column.

Vote in the fourth column for all the other candidates whom you wish to support.

Do not vote more than one choice for one person, as only one choice will count for any one candidate by this ballot.

If you wrongly mark, tear or deface this ballot return it and obtain another.

For Commissioners:	First Choice.	Second Choice.	Third Choice.	Other Choice.
William Brown,	×			
Louis Coe,		×		
John Doe,			×	
Henry Poe,				×
Richard Roe,				
Charles Smith,				×

II. One space shall be left below the printed names of the candidates of each office to be voted for, wherein the voter may write the name of any person for whom he may wish to vote. Blank spaces shall be left equal to the number of offices to be filled.

Space for other names.

III. The names of the candidates for the same office shall be printed on the ballot in alphabetical order. Any candidate whose name is to be voted for on the ballot may, by petition addressed to the city clerk, request that the said clerk shall print opposite his name on the ballot a designation, in not more than six words, as named by him in said petition, for the purpose of indicating

Arrangement of names and designation.

Proviso.

Grouping  
candidates

either any official act or policy to which he is pledged or committed; *provided*, that such designation shall not indicate political party affiliations. On the filing of any such petition the said clerk shall cause the said designation to be printed opposite the name of the said person upon the ballot. If several candidates for the same office shall in said petition request that their names be grouped together, and that the common designation to be named by them shall be printed opposite their said names, the said clerk shall group the said names of the said persons in a bracket, and opposite the said bracket shall print the said designation as aforesaid. Such petition to the said clerk requesting a designation or a grouping of the candidates shall be filed with the clerk at least eight days before the election. If two candidates or groups shall select the same designation, the clerk shall notify the candidate or group whose petition was last filed, and the said candidate or group shall select a new designation.

Counting  
ballots.

Number of  
choices en-  
tered.

IV. As soon as the polls are closed the election officers shall immediately open the ballot boxes, take therefrom singly and count the ballots in public view, and enter the total number thereof on the tally sheet provided therefor by the city clerk. They shall also carefully enter the number of the first-choice, second-choice, third-choice and other-choice votes for each candidate on said tally sheet and make immediate return thereof to the city clerk. Only one vote shall be counted for any candidate on any one ballot, all but the highest of two or more choices on one ballot for one and the same candidate being void. If a ballot contains either first, second or third-choice votes in excess of the number of offices to be filled no vote in the column showing such excess shall be counted. Except as hereinbefore provided all choices shall be counted as marked on the ballot.

Determination  
of result.

On the day following the said election the city clerk shall determine the successful candidates, as hereinafter provided in this section, and shall immediately make and file the result thereof in the office of the city clerk.

Said canvass by the city clerk shall be publicly made in the manner following:

(a) Candidates receiving a majority of first-choice votes for any office shall be elected. If the full number of candidates to be elected do not receive such a majority of the first-choice votes for such office, a canvass shall be made of the second-choice votes received by those candidates for office who are not elected by first-choice votes; said second-choice votes shall be added to the first-choice votes received by such candidates, and candidates who, by such addition, shall receive a majority shall be elected.

If no election  
by first choice.

(b) If, after adding the first-choice and second-choice votes of the candidates not elected by first-choice votes, the full number of candidates to be elected do not receive a majority of first-choice and second-choice votes combined, a canvass shall be made of the third-choice votes received by those candidates for said office who are not elected by first-choice and second-choice votes combined; said third-choice votes shall be added to the first-choice votes and second-choice votes received by such candidates, and candidates who, by such addition, shall receive a majority shall be elected.

If no election  
by first and  
second choices  
added.

(c) If, by the count of either first-choice votes or first and second-choice votes, or first, second and third-choice votes, as above provided, more candidates than there are offices to be filled shall receive a majority, the candidate or candidates equal in number to the number of offices to be filled having the highest vote shall be elected.

Candidates  
receiving  
highest vote  
elected.

(d) If the full number of candidates to be elected do not receive a majority by adding first, second and third-choice votes, as above directed, a canvass shall then be made of the other-choice votes received by those candidates for said office who are not elected, either by first-choice votes or by adding first and second-choice votes, or by adding first, second and third-choice votes, said other-choice votes shall be added to the first, second and third-choice votes received by such candidates, and the candidate equal in number to the

If no election  
by adding  
three choices.

number of offices remaining to be filled who receives the highest number of votes by said addition shall be elected.

Ties.

(e) A tie between two or more candidates shall be decided in favor of the one having the highest number of first-choice votes. If they are also equal in that respect, then the highest number of second-choice votes shall determine the result. If they are still equal, then the highest number of third-choice votes shall determine the result.

"Majority" defined.

(f) Whenever the word "majority" is used in this section it shall mean more than one-half of the total number of valid ballots cast at such election.

Informalities not to invalidate.

V. No informalities in conducting said municipal election shall invalidate the same, if they be conducted fairly and in substantial conformity with the requirements of this act.

Act repealed.

5. An act to amend an act entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State,' approved April twenty-fifth, one thousand nine hundred and eleven," which supplement was approved April seventh, one thousand nine hundred and fourteen, which amendment was approved March sixteenth, one thousand nine hundred and sixteen, and all other acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

6. This act shall take effect immediately.

Approved April 3, 1917.

## CHAPTER 276.

A Supplement to an act entitled "An act making appropriations for support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and seventeen," approved April fourth, one thousand nine hundred and sixteen.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

I. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the several purposes herein specified, and for supplying deficiencies in former appropriations for the fiscal year ending October thirty-first, one thousand nine hundred and seventeen :

Supplemental  
appropriations.

## I.

## STATE AGRICULTURAL COLLEGE.

For additional allowance for summer session, three thousand dollars;

Agricultural  
college.

For additional allowance for maintenance of courses in chemistry, two thousand dollars;

For erection of a calf barn, five thousand dollars.

For maintenance of courses in education, two thousand dollars.

## 2.

COMMISSION FOR AMELIORATING THE CONDITION OF  
THE BLIND.

For additional allowance for preventive work, five hundred dollars;

Blind.

For rent of building or rooms, six hundred dollars.

## 3.

## CIVIL SERVICE COMMISSION.

Civil service. For additional allowance for salaries and expenses of the Civil Service Commission, three thousand two hundred dollars.

## 4.

## STATE PRISON.

State prison. For additional allowance for maintenance of principal keeper and resident physician, pursuant to chapters one hundred and sixty-three and two hundred and forty-four of the laws of one thousand nine hundred and six. two hundred dollars;

For additional allowance for furniture, appliances and repairs for residences of principal keeper and resident physician, eight hundred dollars;

For additional allowance for the keeper, for payments to discharged convicts, five hundred dollars;

For rebuilding boilers, one thousand dollars;

For new roof and floor, south hall, one thousand two hundred dollars;

For salary of the chaplain of the State prison farm at Leesburg, pursuant to chapter seventy, laws of one thousand nine hundred and seventeen, three hundred dollars.

For hospital supplies, seven hundred dollars;

For closets, sinks and urinals, one thousand dollars;

For laundry equipment, three thousand three hundred and fifty dollars;

For the purpose of carrying out the provisions of Joint Resolution No. one, approved January twenty-third, one thousand nine hundred and seventeen, two thousand dollars;

For the purpose of carrying into effect the provisions of chapter thirty-four of the laws of one thousand nine hundred and seventeen, with authority, however, to substitute for the concrete wall around the exercise ground therein contemplated, such other form of enclosure as the Board of Prison Inspectors, the Gov-



error, and the chairman of the Prison Investigating Commission shall determine, namely:

For physical and mental examination, five thousand dollars;

For concrete wall around exercise ground, five thousand dollars;

For additional facilities for road camps, one thousand five hundred dollars.

## 5.

## NEW JERSEY REFORMATORY.

For additional allowance for maintenance, ten thousand dollars; Rahway reformatory.

For additional allowance for fuel and water, five thousand dollars.

## 6.

## STATE HOME FOR GIRLS.

For additional allowance for salaries of employees, Girls' home. ten thousand dollars.

## 7.

## SUMMER COURSES IN AGRICULTURE, ET CETERA.

For additional allowance for the purpose of carrying out the provisions of chapter three hundred and ten, laws of one thousand nine hundred and thirteen, four thousand dollars; payment to be made as provided by chapter sixty-five, laws of one thousand nine hundred and nine. Summer school of agriculture.

## 8.

## EXECUTIVE DEPARTMENT.

For additional allowance for compensation for assistants in the Executive Department, three hundred dollars; Governor's office.

For additional allowance for postage, expressage and other incidental expenses of the Executive Department, seven hundred dollars.

## 9.

## BOARD OF SHELL FISHERIES.

- Shell fisheries. For additional allowance for salaries and expenses of the Board of Shell Fisheries, two thousand dollars;
- For the purpose of carrying out the provisions of a bill pending entitled "An act relating to the propagation, planting, preservation and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the Board of Shell Fisheries," one thousand five hundred dollars;
- Proviso. *provided*, said bill becomes a law.

## 10.

## DEPARTMENT OF LABOR.

- Labor department. For additional allowance for salaries and expenses of the Department of Labor, ten thousand dollars;
- All receipts of the Labor Department pursuant to a bill pending entitled "An act relating to the manufacture, keeping, storage, transportation and sale of explosives, and providing penalties for any violation of this act," are hereby appropriated for the uses and purposes expressed in said bill; *provided*, said bill becomes a law.
- Proviso.

## 11.

## STATE HOME FOR BOYS.

- Boys' home. For additional allowance for two new boilers, ten thousand dollars.

## 12.

## OFFICE OF THE COMPTROLLER.

- Comptroller's office. For additional allowance for compensation for clerical services and expenses, one thousand dollars;
- For additional allowance for blanks and stationery for use in the office of the Comptroller, five hundred dollars;

For additional allowance for postage, expressage and other incidental expenses for the Comptroller's office, one thousand dollars;

For additional allowance for the purpose of carrying out the provisions of chapter one hundred and fifty-eight, laws of one thousand nine hundred and fourteen, five hundred dollars;

For premium on surety bonds of State Comptroller and deputy State Comptroller, three hundred dollars.

## 13.

## OFFICE OF THE TREASURER.

For additional allowance for compensation for clerical services in the office of the Treasurer, seven hundred dollars; Treasurer's office.

For additional allowance for blanks and stationery for use in the office of the Treasurer, three hundred dollars;

For premium on surety bonds of Treasurer and deputy Treasurer, four hundred and fifty dollars.

The following amounts are appropriated, provided a bill pending entitled "An act creating a Department of Municipal Accounts and the office of Commissioner of Municipal Accounts, and defining its duties and powers," becomes a law:

For salary of Commissioner of Municipal Accounts, two thousand one hundred dollars;

For salaries of assistant commissioner and stenographer, nine hundred and eighty dollars;

For blanks, stationery, postage and traveling expenses, one thousand four hundred dollars;

For office furniture and equipment, five hundred dollars.

## 14.

## OFFICE OF THE SECRETARY OF STATE.

For additional allowance for compensation for clerical services in the office of the Secretary of State, one hundred and seventy-five dollars; Secretary of state.

For additional allowance for blanks and stationery for use in the office of the Secretary of State, three thousand five hundred dollars.

## 15.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE  
REGULATION AND REGISTRATION.

Motor vehicle  
department.

For additional allowance for compensation for clerical services, five hundred dollars;

For liability insurance on inspectors, five hundred dollars;

For the purchase of automobiles for the use of the department, five thousand dollars;

For additional allowance for the purchase and packing of identification marks and dies for use in connection with the same, six thousand and ninety dollars; payment of the above items in this account to be made from the receipts of the Department of Motor Vehicle Regulation and Registration, pursuant to chapter two hundred and thirty-five, laws of one thousand nine hundred and nine.

## 16.

## STATE BOARD OF TAXES AND ASSESSMENT.

Board of taxes  
and assess-  
ment.

For additional allowance for salaries and expenses of the State Board of Taxes and Assessment, pursuant to chapter two hundred and forty-four, laws of one thousand nine hundred and fifteen, nine hundred and sixty dollars.

## 17.

## DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

Shark river  
inlet.

For the completion of the improvement at Shark River Inlet, said sum to be additional to any unexpended balance of any appropriation heretofore made for this work, nineteen thousand dollars.

## 18.

## SANATORIUM FOR TUBERCULOUS DISEASES.

For coal bin and shutes, one thousand dollars.

Sanatorium.

## 19.

## STATE INSTITUTION FOR FEEBLE-MINDED.

For the purchase of an automobile truck, three thousand dollars.

Feeble-minded.

## 20.

## HOME FOR DISABLED SOLDIERS AT KEARNY.

For additional allowance for the support of the New Jersey Home for Disabled Soldiers at Kearny, and for the chaplain thereof, ten thousand dollars;

Kearny home.

For new boiler, three thousand five hundred dollars.

## 21.

## STATE HOUSE COMMISSION.

For additional allowance for the State House Commission, for the care and safe-keeping of the State Capitol, the property therein and adjacent public grounds, insurance upon State Capitol and contents, and for expenses to be incurred in carrying out the provisions of chapter three hundred and thirty-nine of the laws of one thousand eight hundred and ninety-four, eighteen thousand dollars;

State house.

For additional allowance for the purpose of carrying into effect the provisions of chapter sixty-eight, laws of one thousand nine hundred and sixteen, including necessary expenses incurred during the preceding fiscal year, fifteen thousand dollars;

For additional allowance for the State House Commission for the purpose of acquiring, by purchase or condemnation in the name of the State, lands in the city of Trenton, with buildings thereon erected, and for any necessary removals and alterations of the same,

and improvement of said lands as included in chapter two hundred and forty-two of the laws of one thousand nine hundred and eleven, and any supplements thereto or amendments thereof, fifteen thousand dollars.

## 22.

## NATIONAL GUARD.

National  
guard.

For compensation for Edward W. Vaughn, veterinarian, attending horses of New Jersey organizations at Douglas, Arizona, during the period from June twenty-sixth to July thirty-first, one thousand nine hundred and sixteen, one hundred sixteen dollars and sixty-seven cents;

For compensation of Acting Adjutant-General during the absence of the Adjutant-General, during the period from November eleventh to December sixth, one thousand nine hundred and sixteen, one hundred seventy-nine dollars and twenty cents;

For extending water supply and improving and extending sewage and drainage system at Sea Girt, two thousand two hundred and fifty dollars;

For rental of stables and drill grounds leased by troop D, at Plainfield, pending the acquisition of State-owned stables and drill hall, two thousand four hundred dollars;

For compensation of Chester L. Nelson, veterinarian, accompanying first squadron cavalry to Douglas, Arizona, and employed during the period from June twentieth to October twenty-first, one thousand nine hundred and sixteen, at pay of a second lieutenant, five hundred and fourteen dollars;

For reimbursement to troop D, first squadron cavalry, for existing liabilities incurred for the maintenance of the organization pending State support, eight hundred dollars;

For additional compensation for the Adjutant-General and officers in his department and the Quartermaster-General and officers in his department as approved by the Governor, three thousand dollars;

Any unexpended balance of the appropriation made pursuant to chapter two, laws of one thousand nine hundred and seventeen, is hereby appropriated.

23.

## INAUGURATION CEREMONIES AT WASHINGTON.

Any unexpended balance of the appropriation made pursuant to chapter three, laws of one thousand nine hundred and seventeen, is hereby appropriated.

Presidential  
inauguration.

24.

## ADJUTANT-GENERAL'S DEPARTMENT.

For additional allowance for compensation for clerical service in the Adjutant-General's office, one thousand two hundred dollars.

Attorney-  
general.

25.

## QUARTERMASTER-GENERAL'S DEPARTMENT.

For additional allowance, for clerks, for salaries, three thousand five hundred and eighty dollars.

Quartermaster-  
general.

26.

## STATE BOARD OF TENEMENT HOUSE SUPERVISION.

For additional allowance for incidentals, postage and expressage, two hundred and fifty dollars.

Tenement  
supervision.

27.

## BOARD OF COMMERCE AND NAVIGATION.

For additional allowance for salaries and expenses of the Board of Commerce and Navigation, pursuant to chapter two hundred and forty-two, laws of one thousand nine hundred and fifteen, three thousand dollars;

Commerce and  
navigation.

For expenses incurred in the free lighterage case, ten thousand dollars.

## 28.

## ADDITIONAL ACCOMMODATIONS FOR INSANE.

Insane.

For conserving the property and expenses of the commission, one thousand five hundred dollars.

## 29.

## COMMISSIONER OF EDUCATION.

Educational  
department.

For the purpose of carrying into effect the provisions of chapter one hundred and seven, laws of one thousand nine hundred and seventeen, ten thousand dollars;

For additional allowance for educational bulletin, four hundred dollars.

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the superintendent of public instruction are required to be deducted, pursuant to chapter sixty-five of the laws of one thousand nine hundred and nine.

## 30.

## STATE NORMAL SCHOOL AT TRENTON.

Trenton Normal  
school.

For fire protection, consisting of fire-escapes, fireproof stairways, fire walls, smoke doors inside fire towers, et cetera, twelve thousand six hundred dollars;

For new boiler, two thousand five hundred dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 31.

## STATE NORMAL SCHOOL AT MONTCLAIR.

Montclair  
Normal school.

For additional allowance for support of the State Normal School at Montclair, four thousand dollars; payment under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.



## 32.

## EVENING SCHOOLS FOR FOREIGN-BORN RESIDENTS.

For additional allowance for the purpose of carrying out the provisions of an act entitled "An act providing for the establishment of evening schools for foreign-born residents in the State of New Jersey," approved April eleventh, one thousand nine hundred and seven, eight hundred dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

Night schools  
for foreign-  
born residents.

## 33.

## STATE HOSPITAL AT MORRIS PLAINS.

For additional allowance for patients, for amount earned in excess of the amount appropriated therefor, for the fiscal year ending October thirty-first, one thousand nine hundred and sixteen, nine thousand thirty-three dollars and thirteen cents;

Morris Plains  
asylum.

For building, pump, et cetera, for artesian well, two thousand five hundred dollars;

For plumbing in addition to fire house, one thousand dollars;

For furnishings for addition to fire house, one thousand dollars.

For special photographic supplies and X-ray plates, five hundred dollars.

## 34.

## STATE HOSPITAL AT TRENTON.

For additional allowance for patients, for amount earned in excess of the amount appropriated therefor, for the fiscal year ending October thirty-first, one thousand nine hundred and sixteen, five hundred forty-six dollars and thirty-eight cents;

Trenton  
asylum.

For additional allowance for maintenance of county patients, at the rate of two dollars and fifty cents per week; for support of criminal and insane convicts

chargeable solely to the State, at the rate of five dollars per week per capita, and clothing exclusive of such per capita sum and at the rate of three dollars per week per capita for such county patients; for support and clothing of State indigent patients at the rate of four dollars and fifty cents per week, and clothing exclusive of such per capita sum, twenty-five thousand dollars;

For two new boilers, fifteen thousand dollars.

## 35.

## PUBLIC LIBRARY COMMISSION.

Library commission.

For additional allowance for the purpose of carrying into effect the provisions of chapter sixty-two, laws of one thousand nine hundred; for clerical assistants, necessary traveling expenses and other expenses incurred by the commission, including the cost of conducting the summer school in library training or library institutes, and for carrying into effect the provisions of chapter one hundred seventy-five, laws of one thousand eight hundred and ninety-eight, and supplements, providing for the establishing and maintenance of a system of traveling libraries; and for the purpose of carrying into effect the provisions of chapter one hundred and fifteen, laws of one thousand nine hundred and six, two hundred and sixty dollars.

## 36.

## DEPARTMENT OF ARCHITECTURE.

Department of architecture.

For salaries and expenses of the Department of Architecture, pursuant to chapter one hundred twenty-five, laws of one thousand nine hundred and seventeen, five hundred dollars.

The unexpended balance of the following appropriations made in item thirty-four to the Department of Charities and Corrections, in the act to which this act is a supplement, are hereby transferred to the Department of Architecture, for salaries and expenses of said department:

For salary of assistant (architect);  
For salaries of draughtsmen;  
For blue prints and other drawing material;  
For salaries and expenses of two regular inspectors  
and extra as needed;  
For services of engineers, surveyors and other technical  
services as needed.

## 37.

## COUNTY LUNATIC ASYLUMS.

For additional allowance for the support of county patients in the Essex County Lunatic Asylum, twenty-seven thousand dollars; County asylums.

For additional allowance for the support of county patients in the Hudson County Lunatic Asylum, two thousand dollars.

## 38.

## VOCATIONAL SCHOOLS.

For the purpose of carrying into effect the provisions of chapter one hundred nineteen, laws of one thousand nine hundred and seventeen, eight hundred dollars. Vocational schools.

## 39.

## TEACHERS' RETIREMENT FUND.

For additional allowance to the Board of Trustees, for payment of expenses incurred in connection with the administration of the Teachers' Retirement Fund, pursuant to chapter one hundred and thirty-nine, laws of one thousand nine hundred and seven, seven hundred and eighty-three dollars. Teachers' retirement fund.

## 40.

## STATE REFORMATORY FOR WOMEN.

For additional allowance for salaries of officers and employees, seven hundred and sixty dollars. Women's reformatory.

## 41.

## DEPARTMENT OF AGRICULTURE.

Agricultural  
department.

For the Department of Agriculture, for the purpose of apportioning and paying to the county boards of agriculture of the State, in its discretion, sums of money to be devoted by said county boards to the collection of and reporting to the State board crop and other agricultural statistics, and for educational purposes, seven hundred and eighty-five dollars.

## 42.

## AGRICULTURAL EXPERIMENT STATION.

Experimental  
station.

For additional allowance for salaries and expenses of the Agricultural Experiment Station, four thousand dollars;

For additional allowance for the purpose of carrying into effect the provisions of chapter two hundred and twenty-eight, laws of one thousand nine hundred and sixteen, one thousand five hundred dollars.

## 43.

## STATE HORTICULTURAL SOCIETY.

Horticultural  
society.

For expenses, including printing, four hundred and eighty-three dollars and eighty-one cents.

## 44.

## LEGISLATURE.

Incidental  
expenses of  
Legislature  
of 1915 and  
1916.

For allowance for incidental and contingent expenses of the Legislature, sessions of one thousand nine hundred and fifteen and nineteen hundred and sixteen, one thousand five hundred eighty-seven dollars and sixty-one cents; all bills to be approved by the Committee on Incidental Expenses and filed with the Comptroller before payment is made.

## 45.

## STATE EMERGENCY FUND.

To the Governor, State Treasurer and State Comptroller, ex officio, constituting the State House Commission, for the purpose of making payments for purchases in the operation of chapter sixty-eight, pamphlet laws of one thousand nine hundred and sixteen, said payments when so made to be apportioned among the various using agencies, and the appropriations current for their use as provided for in said act, under the direction of the officials hereinbefore named in such manner that the whole of said fund will be reimbursed and the disbursements therefrom returned to the State treasury; it being the purpose to establish hereby a "Purchase Fund" as aforesaid, the sum of one hundred thousand dollars.

Purchase fund.

## 46.

## COMMISSION TO INVESTIGATE CONDITIONS OF CHARITABLE INSTITUTIONS.

For expenses of the commission appointed pursuant to Joint Resolution number four, approved March twenty-third, one thousand nine hundred and seventeen, two thousand dollars.

Investigation.

## 47.

## HOME RULE COMMISSION.

For salaries, clerical services and expenses incurred in carrying into effect the provisions of chapter eighty-four, laws of one thousand nine hundred and sixteen, three thousand three hundred eighty-one dollars and thirty cents.

Salaries, etc., of home rule commission.

## 48.

## COUNTY TUBERCULOSIS HOSPITALS.

For the support of patients in the following county hospitals:

Tuberculosis hospitals.

Atlantic county, two thousand three hundred seventy-two dollars and fifty-seven cents;

Camden county, two thousand seven hundred eighty dollars and thirty-five cents;

Hudson county, nineteen thousand forty-six dollars and ninety-one cents;

Essex county, eleven thousand five hundred dollars;

Mercer county, two thousand five hundred sixty dollars and twenty-five cents;

Morris county, one thousand three hundred forty-nine dollars and thirteen cents;

Union county, seven thousand dollars.

## 49.

## BUDGET ACT EXPENSES.

Budget.

For additional allowance for the purpose of carrying into effect the provisions of chapter fifteen, laws of one thousand nine hundred and sixteen, two thousand five hundred dollars.

## 50.

## COMMISSION ON PORT DEVELOPMENT.

Port develop-  
ment.

For the purpose of carrying into effect the provisions of chapter one hundred and thirty, laws of one thousand nine hundred and seventeen, seven thousand five hundred dollars.

## 51.

## JOINT JUDICIAL INVESTIGATING COMMISSION.

Pension and  
retirement  
commission.

For expenses incurred by the commission appointed pursuant to Joint Resolution number eleven, approved March twenty-ninth, one thousand nine hundred and seventeen, one thousand dollars.

## 52.

## COMMISSION TO INVESTIGATE THE HIGH COST OF LIVING.

For expenses incurred by the commission appointed pursuant to Joint Resolution number two, laws of one thousand nine hundred and seventeen, approved January third, one thousand nine hundred and seventeen, two thousand dollars.

Commission on  
high cost of  
living.

## 53.

COMMISSION FOR THE SURVEY OF MUNICIPAL  
FINANCING.

For additional allowance for the purpose of carrying into effect the provisions of Joint Resolution number seven, approved March eighteenth, one thousand nine hundred and sixteen, one thousand dollars.

Municipal  
financing.

## 54.

## COMMISSION TO REVISE CORPORATION LAWS.

To R. C. Matthews for services and expenses as secretary to the Commission to Revise the Corporation Laws, five dollars, provided said sum is received in full of all claims.

Revise corpo-  
ration laws.

## 55.

## BOARD OF FISH AND GAME COMMISSION.

For construction of dams, lakes, bass ponds, toilet accommodations, grading and filling, for the completion of State Fish Hatchery, eleven thousand dollars.

Disallowed.

## 56.

## INAUGURATION EXPENSES.

For expenses incurred by the committee having in charge the inauguration of the Governor, three thousand six hundred and thirty-two dollars and ninety-two cents.

Gubernatorial  
inauguration.

57.

## STATE HIGHWAY COMMISSION.

Highway  
commission.

To Robert H. Ingersoll for legal service rendered in connection with preparation of State highway bills, seven hundred and fifty dollars.

58.

## COMMISSION TO CONSIDER THE ACT RELATING TO PROPERTY RIGHTS OF MARRIED PERSONS.

Property of  
married persons.

To R. C. Matthews for services rendered the Commission to Consider the Act Relating to the Property Rights of Married Persons, forty-five dollars and ninety cents.

59.

## COMMISSION TO INVESTIGATE EXPLOSIVES.

Explosives.

To J. R. Salmon for services rendered the committee appointed to investigate explosives, pursuant to a resolution of the House of Assembly, five hundred dollars, provided said sum is received in full for all claims.

60.

## NEW JERSEY INTERSTATE BRIDGE AND TUNNEL COMMISSION.

Bridge and  
tunnel commission.

For expenses incurred by the New Jersey Interstate Bridge and Tunnel Commission, five hundred dollars.

61.

## DEPARTMENT OF BANKING AND INSURANCE.

Rating and  
inspection bureau.

For salaries and expenses in establishing compensation rating and inspection bureau, pursuant to chapter one hundred and seventy-eight, laws of one thousand nine hundred and seventeen, one thousand five hundred dollars.



## 62.

## CONFERENCE OF GOVERNORS.

For amount of assessment against the State of New Jersey for the support of the conference of Governors, for the year one thousand nine hundred and seventeen, and expenses, three hundred and fifty dollars.

Conference  
of governors.

## 63.

NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS,  
MARINES AND THEIR WIVES AND FOR THEIR  
WIDOWS, AT VINELAND.

For new well and electric driven pumping plant, four thousand dollars.

Vineland sol-  
diers' home.

2. The following sums are hereby appropriated out of the income of the School Fund for the purposes specified, for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and seventeen.

Appropriations  
from school  
fund for:

## I.

## INDUSTRIAL EDUCATION IN THE FREE PUBLIC SCHOOLS.

For additional allowance for payments to schools for manual training, pursuant to article twenty-two, section two hundred and thirty, school law of one thousand nine hundred and three, ninety-eight thousand dollars.

Industrial  
schools;

## 2.

## VOCATIONAL TRAINING IN THE FREE PUBLIC SCHOOLS.

For additional allowance for the purpose of carrying into effect the provisions of chapter seventy-six, laws of one thousand nine hundred and sixteen, twenty-one thousand eight hundred and forty-five dollars.

Vocational  
schools.

3. Before any building or buildings shall be commenced or work undertaken for the cost of which money is appropriated by this act or by the appropria-

Approval of  
plans and  
contracts by  
governor.

tion act for the fiscal year ending October thirty-first, one thousand nine hundred and sixteen, the plans, specifications and contracts necessary for the entire completion thereof shall, and each of them shall, be submitted to and approved by the Governor, and such contracts shall not be approved or entered into if the total expenditure under all of the contracts necessary to the entire completion of such building, buildings or work, according to such plans and specifications shall exceed the amount appropriated by this act for such building, buildings or work; and in any and every case where it shall appear that the appropriation is insufficient to complete such building, buildings or work, the appropriation hereby made therefor shall not be applied toward the construction of such building or buildings, or prosecution of such work, but shall lapse and no payment shall be made therefrom; *provided, however*, that the provisions of this section prohibiting the expenditure of the whole or any part of an appropriation, which in itself is insufficient to complete any building, buildings or work, and providing for the lapsing of such appropriations, shall not apply to or restrict the expenditure of any moneys herein appropriated for the construction, completion of construction, equipment or furnishing of any armory or armories which have been heretofore authorized and which are partially constructed, completed or furnished, but such appropriation shall be available for the uses and purposes herein expressed to the full extent thereof.

If appropriation insufficient, to lapse.

Proviso.

Moneys used as specified.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated in this act and in the act to which this act is a supplement, and except such sums which are by law devoted to specific purposes, namely, State school tax, moneys derived from the act to tax real and personal property in the several municipalities in this State for State road purposes, United States appropriation to Agricultural College, United States appropriation for disabled soldiers, United States appropriation for disabled soldiers, sailors, marines and their wives, Agricultural College fund and taxes for the use of

taxing districts in this State, moneys received pursuant to the laws relating to motor vehicles, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, academic certificate fund, pensions of teachers and school officers authorized by law, vocational schools, moneys received from tuition at the summer schools, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous year, nor of any payments into the State treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursements of State moneys in certain cases, approved October thirty-first, one thousand nine hundred and seven (chapter two hundred and eighty-eight, laws of one thousand nine hundred and seven), which moneys by the provisions of chapter forty-one, laws of one thousand nine hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners, under any of the fish and game laws of the State, which moneys may be paid out as other moneys of the State, moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chapter one hundred and eighty-seven, laws of nineteen hundred and thirteen; *provided, however,* that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison as receipts for the labor of inmates of those institutions.

As to payments on contracts.

Proviso.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such

Transfer of moneys to other items.

Authority  
given.

department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

Proviso.

Disbursements  
so as to con-  
serve interests  
of state.

6. The Comptroller of the Treasury is hereby empowered and it shall be his duty in the disbursement of funds available for the general uses of the State to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriation may have been made as in his judgment may best conserve the interest of the State.

7. This act shall take effect immediately.

Approved except as to Item No. 55, \$11,000, April 3, 1917.

WALTER E. EDGE.

## CHAPTER 277.

An Act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and eighteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Annual appro-  
priations.

I. The following sums, or so much thereof as may be necessary, be and they are appropriated out of the

State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and eighteen, namely:

## I.

## EXECUTIVE DEPARTMENT.

For the Governor, for salary, ten thousand dollars; Governor's  
For the secretary to the Governor, for salary, four office.  
thousand dollars;

For compensation for assistants in the executive department, five thousand one hundred dollars;

For blanks and stationery for the use of the executive department, one thousand two hundred and fifty dollars;

For traveling expenses, postage, expressage and other incidental expenses, two thousand seven hundred and fifty dollars.

## 2.

## OFFICE OF THE COMPTROLLER.

For the Comptroller, for salary, six thousand dollars; Comptroller's  
For the Deputy Comptroller, for salary, in lieu of office.

other compensation, five thousand dollars;

For compensation for clerical services and expenses, eleven thousand five hundred dollars;

For blanks and stationery for use in the office of the Comptroller, two thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Comptroller's office, five thousand five hundred dollars;

For salaries and expenses incident to the carrying out of the provisions of chapter three hundred and nineteen, laws of one thousand nine hundred and thirteen, fourteen thousand five hundred dollars;

For the purpose of carrying out the provisions of chapter one hundred and fifty-eight, laws of one thousand nine hundred and fourteen, three thousand five hundred dollars;

For premium on surety bonds of State Comptroller and Deputy State Comptroller, three hundred dollars.

## 3.

## OFFICE OF THE TREASURER.

Treasurer's  
office.

For the Treasurer, for salary, six thousand dollars;

For compensation for clerical services in the office of the Treasurer, fifteen thousand eight hundred dollars;

For blanks and stationery for use in the office of the Treasurer, one thousand dollars;

For postage, expressage and other incidental expenses for the office of the Treasurer, one thousand two hundred dollars;

For premium on surety bonds of Treasurer and Deputy Treasurer, four hundred and fifty dollars;

The following amounts are appropriated, provided a bill pending entitled "An act creating a Department of Municipal Accounts and the office of Commissioner of Municipal Accounts, and defining its duties and powers," becomes a law:

For salary of Commissioner of Municipal Accounts, three thousand six hundred dollars;

For salaries of Assistant Commissioner and stenographer, one thousand six hundred and eighty dollars;

For blanks, stationery, postage and traveling expenses, two thousand four hundred dollars.

## 4.

## OFFICES OF THE STATE COMPTROLLER AND STATE TREASURER.

Receipts and  
disbursements.

For the purpose of carrying out the provisions of chapter two hundred and eighty-eight of the laws of one thousand nine hundred and seven, four thousand six hundred dollars.

## 5.

## OFFICE OF THE SECRETARY OF STATE.

For the Secretary of State, for salary, six thousand dollars; Secretary of State.

For the Assistant Secretary of State, for salary, three thousand dollars;

For compensation for clerical services in the office of the Secretary of State, twenty-four thousand one hundred dollars;

For postage, expressage and other incidental expenses for the office of Secretary of State, four thousand four hundred dollars;

For blanks and stationery for use in the office of the Secretary of State, thirteen thousand five hundred dollars;

For preserving old records by the Emery process, one thousand dollars;

For compiling and indexing the primary and general election laws, three hundred dollars;

For the purchase of corporation laws at a rate not to exceed fifty cents per copy, two thousand dollars;

To the Pennsylvania Railroad Company, for refund of amount paid for seventy-six duplicate commissions issued to Pennsylvania railroad policemen, less expense to the State, two hundred and eighteen dollars.

## 6.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE  
REGULATION AND REGISTRATION.

For salary of the Commissioner of Motor Vehicles, one thousand five hundred dollars; Motor vehicle department.

For salary for the chief inspector, one thousand eight hundred dollars;

For salary of deputy chief inspector, one thousand five hundred dollars;

For compensation for inspectors, forty-three thousand two hundred dollars;

For expenses and equipment of inspectors, twenty-two thousand dollars;

For compensation for clerical service, twelve thousand dollars;

For postage, expressage and other incidental expenses, five thousand dollars;

For blanks and stationery, seven thousand dollars;

For reimbursement of applicants for licenses who have made errors in the rating of their machines, three hundred dollars;

For liability insurance on inspectors, five hundred dollars;

For the purchase of automobiles for the use of the department, five thousand dollars;

For the purchase and packing of identification marks and dies for use in connection with the same, forty thousand dollars; payment of the above items in this account to be made from the receipts of the department of motor vehicle regulation and registration, pursuant to chapter two hundred and thirty-five, laws of one thousand nine hundred and nine.

7.

ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-general's office.

For the Attorney-General, for salary, seven thousand dollars;

For the Assistant Attorney-General, for salary, five thousand dollars;

For the Second Assistant Attorney-General, for salary, four thousand eight hundred dollars;

For compensation of assistants employed by the Attorney-General, sixteen thousand six hundred and twenty-four dollars;

For blanks and stationery for use in the office of the Attorney-General, seven hundred and fifty dollars;

For traveling expenses, postage, expressage and other incidental expenses for the Attorney-General's department, two thousand five hundred dollars;



For compensation and expenses of counsel employed by the Attorney-General in foreign States to collect taxes due from bankrupt and other insolvent corporations, two hundred and fifty dollars;

To Edmund Wilson, for service as counsel in the case of Wilson, Attorney-General, versus State Water-Supply Commission, five hundred dollars;

To John R. Hardin, for services in a railroad tax case, five hundred dollars;

To Robert H. McCarter, for services in a case against the Morris Canal Company, in the Supreme Court of the United States, five hundred dollars.

## 8.

## DEPARTMENT OF BANKING AND INSURANCE.

For the Commissioner of Banking and Insurance, for salary, six thousand dollars;

Banking and insurance.

For the Deputy Commissioner of Banking and Insurance, for salary, three thousand five hundred dollars;

For compensation for assistants in the Department of Banking and Insurance, nineteen thousand five hundred dollars;

For blanks and stationery for use in the Department of Banking and Insurance, five thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Department of Banking and Insurance, four thousand five hundred and fifty dollars;

For compensation of building and loan association examiners, twenty-three thousand dollars;

For actual and necessary traveling and incidental personal expenses of building and loan association examiners, four thousand dollars;

For necessary appraisals of real estate, three hundred dollars.

For salaries and expenses in establishing a compensation rating and inspection bureau, pursuant to chapter one hundred and seventy-eight, laws of one thousand nine hundred and seventeen, four thousand dollars.

## 9.

## STATE BOARD OF TAXES AND ASSESSMENT.

Board of  
taxes and  
assessment.

For salaries and expenses of the State Board of Taxes and Assessment, pursuant to chapter two hundred and forty-four, laws of one thousand nine hundred and fifteen, sixty-six thousand five hundred dollars.

## 10.

## DEPARTMENT OF HEALTH.

Health.

For salaries of officers and employees of the Department of Health, ninety-five thousand dollars;

For expenses of the Department of Health, forty-five thousand dollars;

For the enforcement of subdivision D, section four of chapter two hundred and eighty-eight, laws of one thousand nine hundred and fifteen, five thousand dollars.

## 11.

## COUNTY BOARDS OF TAXATION.

Salaries.

For salaries of members of the county boards of taxation, one hundred thousand eight hundred dollars.

## 12.

## STATE HIGHWAY COMMISSION.

Road depart-  
ment.

For State Road Fund, five hundred thousand dollars;

For carrying into effect the provisions of chapter two hundred and twenty-three, laws of one thousand nine hundred and twelve, and any supplements thereto and amendments thereof, ninety thousand dollars;

For the purpose of carrying into effect the provisions of chapter two hundred and seventeen, laws of one thousand nine hundred and sixteen, five thousand dollars.

The sum of twenty-five thousand dollars is hereby appropriated pursuant to chapter two hundred and

twenty-three, laws of one thousand nine hundred and sixteen.

## 13.

## STATE LIBRARY.

For the Librarian, for salary, three thousand dollars; State library.

For compensation for assistants in the State Library, three thousand nine hundred dollars;

For the repair, preservation and purchase of useful books, periodicals, newspapers and other publications for the State Library, three thousand five hundred dollars;

For blanks, stationery, postage, expressage and other incidental expenses for the State Library, one thousand dollars;

For the purpose of carrying into effect the provisions of chapter twenty-nine, laws of one thousand nine hundred and fourteen, four hundred dollars.

## 14.

## PUBLIC LIBRARY COMMISSION.

For the purpose of carrying into effect the provisions of chapter sixty-two, laws of one thousand nine hundred; for clerical assistants, necessary traveling expenses and other expenses incurred by the commission, including the cost of conducting a summer school in library training or library institutes, and for carrying into effect the provisions of chapter one hundred and seventy-five, laws of one thousand eight hundred and ninety-eight, and its supplements, providing for the establishing and maintenance of a system of traveling libraries; and for the purpose of carrying into effect the provisions of chapter one hundred and fifteen, laws of one thousand nine hundred and six, eighteen thousand one hundred and twenty dollars; Library commission.

For the formation and administration of libraries in the free public schools of the State, as provided by the general school law, supplemented by chapter one hundred eighty-six, laws of one thousand nine hundred and fourteen, seven thousand dollars.

## 15.

## DEPARTMENT OF LABOR.

Labor bureau. For salaries of Commissioner, assistant commissioner, chiefs of bureaus, examiners, inspectors, clerical and all other services, ninety-five thousand dollars;

For blanks, stationery, bulletins and other publications issued by the department, traveling expenses, postage, expressage, and other incidental expenses, thirty-one thousand dollars.

All receipts of the Labor Department pursuant to a bill pending entitled "An act relating to the manufacture, keeping, storage, transportation and sale of explosives, and providing penalties for any violation of this act," are hereby appropriated for the uses and purposes expressed in said bill; *provided*, said bill becomes a law.

## 16.

## STATE HOUSE COMMISSION.

State house. For the State House Commission, for the care and safe-keeping of the State Capitol, the property therein and adjacent public grounds, insurance upon State Capitol and contents, and for expenses to be incurred in carrying out the provisions of chapter three hundred and thirty-nine of the laws of one thousand eight hundred and ninety-four, ninety thousand dollars;

For the State House Commission, for the purpose of excavating, filling, grading, placing top soils; for laying out and constructing walks, paths and roads; for planting grass, trees, shrubs, and so forth; for laying out and constructing drains, gutters, and for any other improvement necessary or proper upon the lands in the rear of the State House, lying between the Delaware river and the water-power raceway, according to the adopted plan for the improvement thereof, or any modification thereof properly adopted; and also for the acquisition by gift, purchase or condemnation, of such additional land as may be necessary or proper, lying between the Delaware river and the water-power raceway,

and between the westerly line of the State House grounds extended and the Assunpink creek, ten thousand dollars;

For the purpose of carrying into effect the provisions of chapter sixty-eight, laws of one thousand nine hundred and sixteen, twenty-five thousand dollars.

## 17.

## DEPARTMENT OF CONSERVATION AND DEVELOPMENT.

For salaries and expenses of the Department of Conservation and Development, pursuant to chapter two hundred and forty-one, laws of one thousand nine hundred and fifteen, exclusive of any part of the bills incurred by townships in controlling forest fires, sixty-three thousand dollars; Conservation.

For the State's share of bills incurred by townships in controlling forest fires, five thousand dollars;

For the heating, lighting and equipment of the chemical and testing laboratory, three thousand dollars.

## 18.

## SUPREME COURT.

For the Chief Justice and Associate Justices of the Supreme Court, for salaries, one hundred and nine thousand dollars; Supreme court.

For the judges of the Circuit Court, for salaries, seventy-two thousand dollars;

For compensation of sergeant-at-arms and criers, one thousand three hundred dollars;

For the payment of expenses incurred by the order of the Supreme Court, pursuant to chapter one hundred and forty-nine of the laws of one thousand nine hundred, three thousand five hundred dollars;

For blanks and stationery for use of the Chief Justice and Associate Justices of the Supreme Court, and incidental expenses, two hundred and fifty dollars.

## 19.

## OFFICE OF THE CLERK OF THE SUPREME COURT.

Office of Supreme court.

For the Clerk of the Supreme Court, for salary, six thousand dollars;

For compensation for clerical services in the office of the Clerk of Supreme Court, seventeen thousand five hundred dollars;

For blanks and stationery for use in the office of the Clerk of the Supreme Court, two thousand five hundred dollars;

For postage, expressage and other incidental expenses for the office of the Clerk of the Supreme Court, one thousand nine hundred dollars;

For completing, furnishing and fitting vault, one thousand dollars.

## 20.

## COURT OF CHANCERY.

Chancery court.

For the Chancellor, for salary, thirteen thousand dollars;

For the Vice-Chancellors, for salaries, ninety-six thousand dollars.

For compensation of sergeant-at-arms and traveling expenses, six thousand seven hundred dollars;

For compensation of stenographers, and for services pursuant to section one hundred and three of chapter one hundred and fifty-eight, laws of one thousand nine hundred and two, twenty-one thousand dollars;

For compensation and allowance of Advisory Masters and their official stenographers, fifteen thousand dollars;

For rent of rooms in Atlantic City, Jersey City, Newark and Trenton, for the use of the Chancellor, Vice-Chancellors and Advisory Masters, seven thousand six hundred and sixteen dollars;

For miscellaneous expenses in connection with such rooms, one hundred and fifty dollars;

For compensation of stenographer for the Chancellor, six hundred dollars;

For allowance for stationery for the Court of Chancery, five hundred dollars.

## 21.

## OFFICE OF CLERK IN CHANCERY.

For the Clerk in Chancery, for salary, six thousand dollars; Chancery office.

For compensation for clerical services in the office of the Clerk in Chancery, thirty-nine thousand dollars;

For blanks and stationery for use in the office of the Clerk in Chancery, five thousand dollars;

For postage, expressage and other incidental expenses for the office of the Clerk in Chancery, three thousand seven hundred dollars;

For the renewal of old indices, three hundred dollars.

## 22.

## COURT OF ERRORS AND APPEALS.

For compensation of judges of the Court of Errors and Appeals, twenty-two thousand dollars; Court of errors.

For compensation of officers of the Court of Errors and Appeals, one thousand seven hundred and fifty dollars;

For furnishing printed or typewritten copies of draft opinions under the direction of the presiding judge, one thousand two hundred and fifty dollars;

For expressage and other incidental expenses for the court, one hundred and fifty dollars.

## 23.

## COURT OF PARDONS.

For compensation for judges of Court of Pardons, five thousand dollars; Pardons.

For compensation of subordinate officers and incidental expenses, one thousand five hundred dollars.

## 24.

## COURT EXPENSES.

Transferred  
suits.

For compensation of judges of the Court of Common Pleas, pursuant to section forty-nine, chapter one hundred and forty-nine of the laws of one thousand nine hundred, seven hundred and fifty dollars.

## 25.

## LAW AND EQUITY REPORTS.

Legal reports.

For the publication of the Chancery reports, seven thousand dollars;

For the publication of the law reports, three thousand five hundred dollars;

For salary of Chancery reporter, five hundred dollars;

For salary of Supreme Court reporter, five hundred dollars;

For binding Chancery and law reports, nine hundred and fifty dollars.

## 26.

## STENOGRAPHIC REPORTERS.

Refund to  
counties.

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter eighty-one of the laws of one thousand nine hundred and one, seventeen thousand five hundred dollars.

## 27.

## NATIONAL GUARD.

Military.

For expenses for brigade, regimental, artillery, battalion and squadron headquarters, three thousand four hundred dollars;

For allowances for three batteries of artillery, two thousand dollars each, six thousand dollars;



For allowances for four troops of cavalry, at two thousand dollars each, including rent of armory, eight thousand dollars;

For allowances for seventy-five companies of infantry, at five hundred dollars each, thirty-seven thousand five hundred dollars;

For allowance for one signal corps, two thousand dollars;

For transportation for battalion drills, inspections, parades, and for pay and expenses of inspecting officers, five thousand dollars;

For compensation of officers and employees, and expenses incurred in connection with rifle practice, nine thousand dollars;

For pay of officers and enlisted men, and expenses in connection with the annual encampment, seventy thousand dollars;

For compensation of the superintendent and employees, and for forage, fuel and maintenance of the State camp grounds, ten thousand dollars;

For fuel, light and maintenance of the State arsenal, one thousand five hundred dollars;

For expenses of military boards and courts-martial, one thousand two hundred dollars;

For transportation of disabled soldiers of the late rebellion and the Spanish-American war, thirty dollars;

For maintaining, heating and lighting regimental armories at Jersey City, Camden, Newark, Paterson and Trenton, at four thousand five hundred dollars each, twenty-two thousand five hundred dollars;

For maintaining, heating and lighting battery, troop and battalion armories at Newark, East Orange, Camden, Elizabeth, Red Bank and Orange, twenty-three thousand dollars;

For maintaining, heating and lighting company armories at Somerville, Hackensack, Bridgeton, Asbury Park, New Brunswick, Englewood, Atlantic City, Plainfield and Mount Holly, one thousand five hundred dollars each, thirteen thousand five hundred dollars;

For insuring regimental armories, buildings at the State camp grounds at Sea Girt, the State arsenal and all

public military stores, eleven thousand four hundred and seventy dollars;

For horse allowance to officers required to be mounted for duty at annual encampment, two thousand five hundred dollars;

For ordnance stores, uniforms, clothing, camp and garrison equipage, freight and expressage and miscellaneous supplies, ten thousand dollars;

For allowances for uniforms and equipments for officers of regiments, troops, batteries, companies, signal corps, and the naval reserve, as provided in section one hundred and twenty-seven of "An act concerning the militia of the State," approved May sixteenth, one thousand nine hundred and six, six thousand five hundred dollars;

For horse allowance to mounted organizations providing horses for State service, at fifty dollars per horse per annum, two thousand five hundred dollars;

For support and maintenance of headquarters, organizations and detachments of medical corps, two thousand dollars;

For traveling expenses of United States army officers detailed to the State by the War Department as Instructor-Inspectors of the National Guard, one thousand dollars;

For pay of clerk attached to the Instructor-Inspector's office, six hundred dollars;

For salary of caretaker of military equipment of signal corps company, one thousand two hundred dollars;

For extraordinary repairs, alterations, additions and furnishings for the preservation, equipment and completion of regimental, battery, troop, battalion and company armories, ten thousand dollars;

For salary of caretaker of military equipment of troop D, first squadron cavalry, one thousand five hundred dollars;

For salary of caretaker at armory of companies K and M, fourth infantry, at Hoboken, seven hundred and eighty dollars;

For settlement of street paving assessment levied against Battery B property, city of Camden, three thousand one hundred seven dollars;

For furnishing and equipping armories of company L, third infantry, Atlantic City; company K, second infantry, Plainfield, and company E, third infantry, Mount Holly, two thousand dollars each, six thousand dollars;

For salary of caretaker for field hospital and ambulance company at Elizabeth and Red Bank, one thousand four hundred and forty dollars;

For bill of Robert M. Purdy, Manasquan, for burial expenses for Private John E. Smith, fifth infantry, and Daniel Sullivan, fourth infantry, who died while in State service at Sea Girt, one thousand nine hundred and sixteen, one hundred and sixty dollars;

For unpaid balance due on contracts dated in June, one thousand nine hundred and sixteen, conditioned for the purchase of public animals for use of the New Jersey organizations ordered into Federal service, fourteen thousand four hundred thirty-five dollars and ninety cents;

For expenses of officers attending military boards and courts-martial, and for miscellaneous claims, one thousand dollars;

For claims of railroad companies for additional transportation of officers and men, military equipment and animals, six thousand five hundred forty-nine dollars and twenty-five cents;

For settlement of street paving assessment levied against third regiment armory, eighty-one dollars and eight cents.

Any unexpended balance of the appropriation made pursuant to chapter two, laws of one thousand nine hundred and seventeen, is hereby appropriated.

For construction of armory at Salem, pursuant to chapter two hundred and twenty-six, laws of one thousand nine hundred and thirteen, twenty-five thousand dollars;

For construction of armory in the town of Bloomfield, pursuant to chapter three hundred and forty-two, laws of one thousand nine hundred and fifteen, twenty-five thousand dollars.

## 28.

## NAVAL RESERVE.

Naval reserve.

First battalion, in lieu of company allowances, one thousand five hundred dollars;

For battalion headquarters, three hundred dollars;

For pay of shipkeeper, maintenance and expenses, and for pay and expenses of officers and men on annual cruise and practice cruises, ten thousand dollars;

Second battalion, in lieu of company allowances, one thousand five hundred dollars;

For battalion headquarters, three hundred dollars;

For pay of shipkeeper, maintenance and expenses, and for pay and expenses of officers and men on annual cruise and practice cruises, ten thousand dollars;

## 29.

## SEA GIRT COTTAGE.

Governor's  
cottage.

For maintenance of cottage at Sea Girt and entertainment therein, three thousand five hundred dollars.

## 30.

## ADJUTANT-GENERAL'S DEPARTMENT.

Adjutant  
general's office.

For the Adjutant-General, for salary, two thousand five hundred dollars;

For compensation for clerical service in the Adjutant-General's office, nine thousand seven hundred fifty dollars;

For blanks and stationery for use in the Adjutant-General's office, one thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Adjutant-General's office, one thousand one hundred dollars;

For annual dues to Interstate National Guard Association for the year one thousand nine hundred and eighteen, fifty dollars;

For printing, binding and distributing the annual report of the proceedings of the Department of New Jersey, Grand Army of the Republic, five hundred dollars;

For erecting a balcony in, and equipping a vault to be used as an office and for filing records, nine hundred dollars.

## 31.

## QUARTERMASTER-GENERAL'S DEPARTMENT.

For the Quartermaster-General, for salary, two thousand five hundred dollars.

Quartermaster-general's office.

For compensation for assistants in the department of the Quartermaster-General, namely:

For chief clerk, for salary, two thousand five hundred dollars;

For chief of quartermaster corps, for salary, two thousand one hundred dollars;

For clerks, for salaries, seven thousand dollars;

For military storekeeper, for salary, one thousand two hundred dollars;

For carpenter, machinist and to persons having in charge accoutrements, et cetera, cleaning arms, et cetera, teamster and laborer, for salaries, four thousand five hundred thirty-nine dollars;

For blanks and stationery for use in Quartermaster-General's department, five hundred dollars;

For postage, expressage and other incidental expenses for the Quartermaster-General's department, five hundred and fifty dollars.

## 32.

## TRANSFER INHERITANCE TAX.

For surrogates' fees, appraisers' compensation and expenses, legal and other disbursements, and for the purpose of carrying out the provisions of the inheritance tax laws, fifty-nine thousand dollars.

Collecting inheritance tax.

The Comptroller of the Treasury is hereby authorized, and it shall be his duty, to withdraw from the State fund such amounts as shall be required to carry out the

provisions of chapter two hundred and thirty-eight, laws of one thousand nine hundred and nine, and to refund and pay such claims as may be necessary, and the State Treasurer shall pay same upon the warrants of the said Comptroller, and there is hereby appropriated the amount necessary therefor.

## 33.

## COLLATERAL INHERITANCE TAX, REFUND.

Refund in-  
heritance tax.

For the repayment of collateral inheritance taxes paid, as assessed under the collateral inheritance tax act and to the refund of which the estates having made payment may be entitled under the decision of the Court of Errors and Appeals of this State, rendered July eighth, one thousand nine hundred and ten, *In re Dixon vs. Russell (Collard Estate)*, also those estates which having made payment may be entitled to refund under the decision of the Supreme Court, *In re Moss vs. Edwards*, rendered July seventeenth, one thousand nine hundred and twelve (*John L. Foote Estate*), provided the application for such repayment shall be made within two (2) years from the date of payment of such tax. Payment of such claims shall be made only when proven in form, manner and substance to the satisfaction of the State Comptroller and approved by the Attorney-General of this State, two thousand dollars.

## 34.

## DEPARTMENT OF CHARITIES AND CORRECTIONS.

Charities and  
corrections.

For salary of commissioner, four thousand dollars;  
For allowance for clerical service, four thousand five hundred dollars;  
For salary of agent, one thousand two hundred dollars;  
For traveling expenses of commissioner and assistants, two thousand dollars;  
For blanks and stationery, eight hundred dollars;

For postage, expressage and other incidental expenses, five hundred dollars;

For office furniture, filing cabinets, et cetera, two hundred dollars;

For research work, one thousand dollars;

For deportation of aliens and nonresidents, one thousand five hundred dollars.

## 35.

## NEW JERSEY CONFERENCE OF CHARITIES AND CORRECTIONS.

For printing and distributing the proceedings of the annual conference of the New Jersey Conference of Charities and Corrections, for the year one thousand nine hundred and seventeen, six hundred dollars.

Printing report.

## 36.

## STATE BOARD OF TENEMENT HOUSE SUPERVISION.

For secretary and executive officer, three thousand six hundred dollars;

Tenement house supervision.

For salary of architect and plan examiner, one thousand eight hundred dollars;

For assistant plan examiner, one thousand five hundred dollars;

For salaries of six clerks, nine thousand three hundred dollars;

For clerical service and stenographer, five thousand four hundred dollars;

For salary of chief inspector, one thousand five hundred dollars;

For salaries of thirty inspectors, one thousand four hundred dollars each, forty-two thousand dollars;

For inspectors' expenses, four thousand dollars;

For traveling expenses of executive officer and plan examiners, three hundred fifty dollars;

For expenses of members of the Board of Tenement House Supervision, three hundred dollars;

For incidentals, postage and expressage, two thousand dollars;

For printing and stationery, seven hundred fifty dollars;

For rent of offices, two thousand five hundred dollars;

For office furnishings and supplies, two hundred dollars.

## 37.

## CIVIL SERVICE COMMISSION.

Civil service. For salaries of commissioners, ten thousand five hundred dollars;

For salaries of officers and employees, thirty-two thousand six hundred eighty dollars;

For traveling expenses, postage, expressage and other incidentals, four thousand dollars;

For office equipment, five hundred dollars;

For blanks and stationery, three thousand dollars;

For salaries and expenses in connection with standardization of salaries, five thousand dollars;

Disallowed. To Gardner Colby, for settlement in full for services performed by him from November first, one thousand nine hundred and fifteen, to date, in connection with the provisions of chapter one hundred and eighty-three of the laws of one thousand nine hundred and eleven, five hundred dollars.

## 38.

## BOARD OF PUBLIC UTILITY COMMISSIONERS.

Public utility commission. For salaries of commissioners, twenty-two thousand five hundred dollars;

For salaries of counsel and assistant counsel, ten thousand dollars;

For salary of secretary, four thousand dollars;

For salaries of inspectors, engineers, clerical and other employees, fifty-eight thousand dollars;

For salary of stenographers for reporting hearings, five thousand dollars;

For salaries for temporary employment of engineers and other experts, ten thousand dollars;



For traveling expenses, postage, expressage and other incidental expenses, eight thousand six hundred and fifty dollars;

For rent and insurance, five thousand three hundred and fifty dollars;

For printing and stationery, seven-thousand five hundred dollars;

For office equipment, five hundred dollars.

## 39.

## DEPARTMENT OF PUBLIC REPORTS.

For salary of Commissioner of Public Reports, two Reports.  
thousand dollars;

For salary of clerk, six hundred dollars;

For blanks and stationery for use of the department,  
fifty dollars;

For postage, expressage and other incidental expenses  
for the department, fifty dollars.

## 40.

## ADDITIONAL ACCOMMODATIONS FOR INSANE.

For conserving the property and expenses of the com- Insane.  
mission, two thousand five hundred dollars.

## 41.

## BOARD OF COMMERCE AND NAVIGATION.

For salaries of chief engineer, assistant chief engi- Commerce and  
neer, inspectors, draughtsmen, clerk and other clerical navigation.  
force, thirty-six thousand dollars;

For blanks and stationery, traveling expenses, postage,  
expressage and other incidental expenses, eleven thou-  
sand dollars;

For maintenance of inland waterway, five thousand  
dollars;

For survey of New Jersey ship canal, five thousand  
dollars;

For continuation of work of construction of Bayhead-Manasquan river canal, twenty-five thousand dollars.

## 42.

## DEPARTMENT OF WEIGHTS AND MEASURES.

Weights and  
measures.

For salaries of superintendent, assistants and all clerical services, eight thousand seven hundred and forty dollars;

For traveling expenses, postage, expressage and other incidental expenses, three thousand two hundred and seventy dollars;

For blanks and stationery, three hundred dollars.

## 43.

## STATE BOARD OF EDUCATION.

Expenses.

For salaries of clerk and other clerical help, eight hundred dollars;

For stationery and printing, six hundred dollars;

For traveling and other incidental expenses, one thousand five hundred dollars.

## 44.

## COMMISSIONER OF EDUCATION.

School system.

For salary of commissioner, ten thousand dollars;

For salaries of four assistants, eighteen thousand dollars;

For clerical services, including expert in preparing monographs, twenty-three thousand five hundred dollars;

For salary of inspector of buildings, two thousand eight hundred dollars;

For salary of inspector of accounts, two thousand eight hundred dollars;

For blanks, stationery and printing, including printing of school laws, nineteen thousand dollars;

For incidental expenses, twelve thousand dollars;

For copies of the Manual of the Legislature of New Jersey, two thousand five hundred dollars; *provided*, manuals are furnished for school use only;

For educational bulletin, one thousand three hundred dollars;

For the purpose of carrying into effect the provisions of chapter one hundred and seven, laws of one thousand nine hundred and seventeen, twelve thousand dollars.

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the superintendent of public instruction are required to be deducted pursuant to chapter sixty-five of the laws of one thousand nine hundred and nine.

## 45.

## STATE NORMAL SCHOOL AT TRENTON.

For the support of the State Normal School at Trenton, one hundred and three thousand dollars;

Trenton Normal school.

For necessary repairs to the grounds, buildings and furniture, and for keeping the same insured, seventeen thousand dollars;

For extra compensation to the teachers in the various school districts in this State for training the pupils in the State Normal School at Trenton in the art of teaching, and for necessary expenses for supervising the same, including teachers' salaries, ten thousand dollars;

For ash conveyer and lifter, two thousand dollars;

For athletic field equipment, one thousand dollars;

For payment of bills for necessary repairs and improvements during the summer of one thousand nine hundred and sixteen, consisting of replacing conductors, painting, plumbing, electrical repair work, et cetera, one thousand four hundred twenty-eight dollars and fifty-nine cents;

For supplies heretofore furnished by students beginning September first, nineteen hundred and seventeen, four thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 46.

## STATE NORMAL SCHOOL AT MONTCLAIR.

Montclair Normal school.

For support of the State Normal School at Montclair, seventy-two thousand eight hundred twenty-five dollars;

For necessary improvements and repairs to the grounds, buildings and furniture, including dormitories, and for keeping the same insured, ten thousand dollars;

For extra compensation to the teachers in the various school districts of the State for training the pupils of the State Normal School at Montclair in the art of teaching and for traveling expenses of the Normal School teachers in supervising said training, fifteen thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 47.

## STATE NORMAL SCHOOL AT NEWARK.

Newark Normal school.

For support of the State Normal School at Newark, one hundred and nine thousand dollars;

For necessary improvements and repairs to the grounds, buildings and furniture, and for keeping the same insured, four thousand dollars;

For extra compensation to the teachers in the various school districts in this State for training the pupils in the State Normal School at Newark in the art of teaching, and for necessary expenses for supervising the same, fourteen thousand dollars; the moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 48.

## NEW JERSEY SCHOOL FOR THE DEAF.

Deaf mute school.

For boilers and excavation, six thousand dollars;

For shoe machinery, seven hundred dollars;

For the New Jersey School for the Deaf, for the teaching, maintenance and clothing of pupils taught therein, for purchase and repair of furniture, school apparatus and other appliances, for making needed improvements and repairs in the buildings and grounds, for insurance thereof, and for maintaining the system of manual and industrial education in said school, sixty-seven thousand dollars; payments to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 49.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

For maintenance of the Manual Training and Industrial School for Colored Youth, forty thousand dollars;

Bordentown  
school.

For materials for permanent improvements, work to be done by the students as a part of their industrial training, four thousand dollars;

For repairs to buildings, one thousand five hundred dollars;

For construction of new road from Burlington pike, one thousand dollars;

For trees and fences, five hundred dollars;

For purchase of land and seven double tenements thereon, adjoining campus, and moving and improving same, eleven thousand five hundred dollars;

For the erection of an administration building and principal's house, seven thousand five hundred dollars;

For installation of domestic water-supply system, sinking of well, erection of new tank and pumping system and making necessary extension of present system, five thousand dollars;

For connecting the sewer system with the system of the city of Bordentown, five thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 50.

## COUNTY SUPERINTENDENTS.

Salaries of  
county super-  
intendents.

For county superintendents of schools, for salaries, sixty-three thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

## 51.

## STATE BOARD OF EXAMINERS.

Expenses of  
State exami-  
ners.

For expenses incurred by the State Board of Examiners, twelve thousand dollars.

## 52.

## INDUSTRIAL EDUCATION.

Industrial  
schools.

For payments to schools established for industrial education, pursuant to chapter seventy-eight, laws of one thousand nine hundred and nine, thirty thousand dollars;

For payments to schools for manual training, pursuant to article twenty-two, section two hundred and thirty, school law of one thousand nine hundred and three, two hundred and fifty thousand dollars. Of the amount hereby appropriated so much thereof as may be necessary shall be available for payment of allowances due school districts previous to the current fiscal year.

## 53.

## VOCATIONAL SCHOOLS.

Vocational  
schools.

For the purpose of carrying into effect the provisions of chapter seventy-six, laws of one thousand nine hundred and sixteen, forty thousand dollars;

For the purpose of carrying into effect the provisions of chapter one hundred nineteen, laws of one thousand nine hundred and seventeen, thirteen thousand dollars.

## 54.

## EVENING SCHOOLS FOR FOREIGN-BORN RESIDENTS.

For the purpose of carrying out the provisions of an act entitled "An act providing for the establishment of evening schools for foreign-born residents in the State of New Jersey," approved April eleventh, one thousand nine hundred and seven, twelve thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine. Night schools.

## 55.

## TEACHERS' RETIREMENT FUND.

To the board of trustees, for payment of expenses incurred in connection with the administration of the teachers' retirement fund, pursuant to chapter one hundred and thirty-nine, laws of one thousand nine hundred and seven, nine thousand five hundred dollars. Retirement fund.

To the State Treasurer, for expenses incurred in connection with the fund, pursuant to said chapter, as follows:

For clerical services, two thousand eight hundred dollars;

For blanks, stationery, postage, expressage, et cetera, six hundred dollars.

## 56.

## TEACHERS' INSTITUTES.

For expenses of teachers' institutes, two thousand dollars. Institutes.

## 57.

## TEACHERS' LIBRARIES.

For the establishment and maintenance of libraries for use of teachers, three hundred dollars. Teachers' libraries.

## 58.

## SUMMER COURSE IN AGRICULTURE, ET CETERA.

Courses in  
farming.

For the purpose of carrying out the provisions of chapter three hundred and ten, laws of one thousand nine hundred and thirteen, fourteen thousand dollars; payments to be made as provided by chapter sixty-five, laws of one thousand nine hundred and nine.

## 59.

## BOARD OF SHELL FISHERIES.

Board of  
shell fisheries.

For salary of director, two thousand dollars;

For salaries of chiefs of bureaus, three thousand seven hundred dollars;

For salaries of clerk, codifier and stenographer, one thousand and twenty dollars;

For salary of captains and crews of boats and guards, eighteen thousand dollars;

For maintenance of crew on State guard boat "Cypher," eight hundred and eighty dollars;

For coal for State guard boat "Cypher," one thousand five hundred dollars;

For rent of offices, two hundred dollars;

For repairs to boats, one thousand seven hundred and fifty dollars;

For traveling expenses, postage, expressage and other incidental expenses, three thousand dollars;

For blanks and stationery, six hundred dollars;

For the purpose of carrying out the provisions of a bill pending entitled "An act relating to the propagation, planting, preservation and gathering of clams and oysters in the tidal waters of this State, and enlarging and defining the powers and duties of the board of shell fisheries," three thousand dollars; *provided*, said bill becomes a law;

To C. R. Bacon, as compensation for the loss of his son, Franklin R. Bacon, eight hundred dollars; *provided*, said sum is received in full for all claims.



## 60.

## STATE HOSPITALS.

For traveling expenses of managers, eight hundred dollars; State asylums.

For expenses in transferring insane convicts, one hundred dollars;

For medical examination of insane convicts, five hundred dollars.

## 61.

## STATE HOSPITAL AT MORRIS PLAINS.

For maintenance of county patients, at the rate of two dollars and fifty cents per week; for support of criminal and insane convicts chargeable solely to the State, at the rate of five dollars per week per capita, and clothing exclusive of such per capita sum and at the rate of three dollars per week per capita for such county patients; for support and clothing of State indigent patients at the rate of four dollars and fifty cents per week, and clothing exclusive of such per capita sum, four hundred and ten thousand dollars; Morris Plains asylum.

For salaries of officers, twenty-seven thousand dollars;

For appraisement of personal property, two hundred dollars;

For insurance premiums, six thousand dollars;

For research work, two thousand five hundred dollars;

For amusement fund, one thousand dollars;

For clothing of State indigent patients, ten thousand dollars;

For automobile truck, two thousand dollars;

For additional equipment for diversional occupation department, industrial building, two thousand dollars;

For railroad equipment, two thousand dollars;

For machinery for mechanical departments, one thousand dollars;

For flooring material, wards of administration building, one thousand dollars;

For gas plants, retorts and appurtenances, one thousand dollars;

For fixtures and material for lighting industrial room, two hundred dollars;

For fire hoze, nozzles and extinguishers, seven hundred and fifty dollars;

For refrigeration for dormitory building, two thousand five hundred dollars;

For material for coal trestle, two thousand dollars;

For two bungalows for married physicians, eight thousand dollars;

For books and bookcases for patients' circulating library, three hundred dollars;

For material for garage, two thousand five hundred dollars;

For iron fencing, two thousand five hundred dollars;

For repair of slaughter house, one thousand dollars;

For building and equipping plant for sterilizing milk, five thousand dollars;

For necessary addition and equipment, morgue and laboratory, five thousand dollars;

For equipment of barber shop, three hundred and fifty dollars;

For additional dental equipment, three hundred dollars;

For vacuum cleaners, three hundred and fifty dollars.

## 62.

### STATE HOSPITAL AT TRENTON.

Trenton  
asylum.

For maintenance of county patients, at the rate of two dollars and fifty cents per week; for support of criminal and insane convicts chargeable solely to the State, at the rate of five dollars per week per capita, and clothing exclusive of such per capita sum and at the rate of three dollars per week per capita for such county patients; for support and clothing of State indigent patients at the rate of four dollars and fifty cents per week, and clothing exclusive of such per capita sum, three hundred and ten thousand dollars;

For salaries of officers, twenty-three thousand dollars;  
 For appraisement of personal property, two hundred dollars;

For research work, two thousand five hundred dollars;

For fire insurance premiums, four thousand dollars;

For materials consisting of lead, oils, et cetera, for painting purposes, one thousand dollars;

For fire protection, consisting of fire-escapes, automatic water sprinklers, fireproof stairways and fire walls, et cetera, ten thousand dollars;

For laboratory supplies and apparatus, one thousand five hundred dollars;

For lumber for new floors, fences and general repairs, two thousand five hundred dollars;

For new furniture, one thousand dollars;

For stone, labor and materials for repairing roads or laying new walks, three hundred dollars;

For pipe, steam traps, et cetera, for repairing steam and water lines, five hundred dollars;

For amusement fund, eight hundred dollars;

For furnishing and equipping house of detention, ten thousand dollars;

For improving steam heating system in annex building, two thousand five hundred dollars;

For concrete wall at criminal insane building, three thousand five hundred dollars.

For the erection of a building to be used as a male attendants' home, kitchen, storeroom, dining-room and living quarters, ninety thousand dollars.

## 63.

## COUNTY LUNATIC ASYLUMS.

For the support of county patients in the Essex county lunatic asylum, one hundred and ninety thousand dollars; County  
asylums.

In the Hudson county lunatic asylum, eighty-two thousand dollars;

In the Camden county lunatic asylum, twenty-five thousand dollars;

In the Burlington county lunatic asylum, fifteen thousand dollars;

In the Passaic county lunatic asylum, four thousand dollars;

In the Gloucester county lunatic asylum, eight hundred dollars;

In the Cumberland county lunatic asylum, thirteen thousand dollars;

In the Salem county lunatic asylum, eight hundred dollars;

In the Atlantic county lunatic asylum, eleven thousand five hundred dollars.

## 64.

## STATE PRISON.

State prison.

For maintenance of the State Prison and maintenance of the convicts, one hundred and seventy-five thousand dollars;

For maintenance of principal keeper and resident physician, pursuant to chapters one and sixty-three and two and forty-four of the laws of one thousand nine hundred and six, two thousand dollars;

For furniture, appliances and repairs for residences of principal keeper and resident physician, three hundred dollars;

For furniture, appliances and repairs of State Prison, prison farm and road camps, thirteen thousand dollars;

For the principal keeper, for salary, three thousand five hundred dollars;

For the physicians, deputy keepers and employees at prison, prison farm and camps, for salaries, one hundred and twenty thousand dollars;

For the six inspectors, for salaries, three thousand dollars;

For traveling expenses of the Board of Inspectors, two hundred dollars;

For the keeper, for payments to discharged convicts, three thousand dollars;

For teachers and moral instructors to the convicts in the State Prison, for salaries, two thousand four hundred dollars;

For traveling and other necessary expenses incurred by the parole agent, pursuant to chapter two hundred and thirty-two, laws of one thousand nine hundred and five, five hundred dollars;

For maintenance of the electrocution plant, pursuant to the provisions of chapter seventy-nine, laws of one thousand nine hundred and six, and acts amendatory thereto, two thousand dollars;

For the maintenance of a school in the State Prison, pursuant to chapter sixty-five, laws of one thousand nine hundred and seven, one thousand two hundred dollars;

For bureau of identification, four hundred dollars;

For the purpose of carrying out the provisions of chapter three hundred and seventy-two, laws of one thousand nine hundred and eleven, and amendments thereof and supplements thereto, or in the advent of any law creating a revolving fund or capital account for purposes of the State use system for manufacturing at the State Prison, six thousand dollars;

For fertilizer, seeds, grain and forage at the prison farm, five thousand five hundred dollars;

For stock and implements at prison farm, one thousand two hundred and fifty dollars;

For medical attendance at State Prison, farm and camps, six hundred dollars;

For annual appraisement, two hundred dollars;

For insurance premiums, two thousand five hundred dollars;

For painting materials, three thousand five hundred dollars;

Transportation of prisoners and guards to and from farm and camps, one thousand five hundred dollars;

For maintenance of library, two hundred dollars;

For hardware, paints and oils at the prison farm, two hundred and fifty dollars;

For repairs to coal trestle, four hundred dollars;

For repairs to automobile, wagons and harness at prison farm, two hundred dollars;

For purchase of ice house, pond, raceway and right of way from main road located near prison farm, six hundred dollars;

To James E. Kersey, for additional compensation for the period from November, one thousand nine hundred and twelve, to February, one thousand nine hundred and seventeen, one thousand dollars;

For the purpose of carrying out the provisions of chapter thirty-three, laws of one thousand nine hundred and seventeen, one thousand five hundred dollars.

For the purpose of carrying into effect the provisions of chapter thirty-four, laws of one thousand nine hundred and seventeen, namely:

For reconstruction of wing three, thirty thousand dollars;

For school facilities, one thousand five hundred dollars;

For covered way to bath house, one thousand dollars.

## 65.

## NEW JERSEY REFORMATORY.

Rahway re-  
formatory.

For traveling and other official expenses of commissioners, five hundred dollars;

For the superintendent, for salary, four thousand dollars;

For the subordinate officers and employees, for salary, seventy thousand dollars;

For maintenance, seventy thousand dollars;

For furniture, appliances and repairs (including industrial departments), thirteen thousand dollars;

For the superintendent, for payments to discharged inmates and recapturing escapes, five thousand dollars;

For traveling expenses of parole officers, one thousand five hundred dollars;

For fuel and water, twenty thousand dollars;

For farm live stock, implements, et cetera, nine hundred dollars;

To the superintendent, an additional allowance for salary in lieu of the State providing a house of residence as contemplated by statute, six hundred and sixty dollars;

For traveling expenses for superintendent when on official business, two hundred dollars;

For working capital for State use system of prison labor, fifteen thousand dollars;

For materials for construction of officers' quarters, two thousand five hundred dollars;

For purchase of printing and other machinery and equipment, nine thousand dollars.

## 66.

## STATE HOME FOR BOYS.

For the trustees of the New Jersey State Home for Boys, for maintenance, exclusive of salaries, sixty thousand dollars;

Boys' home  
at Jamesburg.

For salaries of employees, fifty-six thousand dollars;

For the trustees of said home, for expenses incurred by them in the discharge of their duties, two hundred and fifty dollars;

For repairs to grounds and buildings, including plumbing, ten thousand dollars;

For library books and periodicals, two hundred dollars;

For fire insurance premiums, four thousand dollars;

For purchase of live stock, one thousand five hundred dollars;

For farm wagons, harness, tools and other farm equipment, one thousand dollars;

For repairs to sewage disposal plant, two thousand five hundred dollars;

For automobile truck for cartage of coal, three thousand dollars;

For the erection of an isolation hospital for contagious diseases, two thousand dollars.

For the erection of a building to be used as assembly hall and gymnasium, forty thousand dollars.

## 67.

## STATE HOME FOR GIRLS.

Girls' home  
at Trenton.

For the trustees of the New Jersey State Home for Girls, for maintenance, not exceeding two hundred and fifty dollars per capita, exclusive of salaries, sixty thousand dollars;

For salaries of employees, thirty-three thousand five hundred dollars;

For the trustees of said home, for expenses incurred in the discharge of their duties, five hundred dollars;

For a hospital fund, one thousand dollars;

For repairs to buildings and grounds, including remodeling of storeroom, four thousand five hundred dollars;

For fire insurance premiums, six hundred and sixty dollars;

For fertilizer, seeds, farm supplies, live stock and poultry, two thousand dollars;

For additional schoolrooms, extension of platforms, dressing-rooms and additional heating, lighting and plumbing, thirteen thousand dollars.

## 68.

## VILLAGE FOR EPILEPTICS.

Epileptic  
village.

For food, clothing, fuel, power, supplies and incidentals, forty-five thousand dollars;

For salaries for officers and employees, one hundred thousand dollars;

For repairs and replacements, seven thousand dollars;

For purchase of material necessary for the extension and repair of telephone system, three thousand dollars;

For reconstruction, repair, enlargement and extension of water system, fourteen thousand dollars.

## 69.

## SANATORIUM FOR TUBERCULOUS DISEASES.

Sanatorium  
at Glen Gardner.

For food, heating, lighting, power, house and farm supplies, sixty-five thousand dollars;



For salaries of superintendent, physicians, clerical force, wages and all other employees, fifty-seven thousand dollars;

For repairs and replacements, five thousand dollars;

For fire insurance premiums, two thousand two hundred dollars;

For purchase of additional land and securing title thereto, one hundred and fifty dollars;

For recreational pavilion, five thousand dollars.

## 70.

## BLIND AND FEEBLE-MINDED.

For clothing, maintenance, support and instruction of the blind persons, inhabitants of this State, twenty-five thousand dollars; Blind.

For clothing, maintenance, support and instruction of the feeble-minded persons, inhabitants of this State, one hundred thousand dollars; Feeble-minded.

For tuition for the higher education of the blind, as provided for in chapter three hundred and thirty-six, laws of one thousand nine hundred and twelve, one thousand dollars. Blind.

## 71.

## STATE INSTITUTION FOR FEEBLE-MINDED.

For food, heating, lighting, power, house and farm supplies, one hundred and thirty thousand dollars; Home for feeble-minded at Vineland.

For salaries of superintendent, physicians, clerical force, wages and all other employees, thirty-seven thousand dollars;

For research work, five thousand dollars;

For repairs and replacements, five thousand dollars;

For live stock and farm equipment, three thousand dollars;

For furnishings and equipment for school building, three thousand dollars;

For furnishing new dormitories, five thousand dollars;

For the erection of a storeroom, seventeen thousand dollars.

## 72.

## STATE REFORMATORY FOR WOMEN.

Woman's re-  
formatory.

For salaries of officers and employees, ten thousand dollars;

For food, clothing, fuel, power, supplies and incidentals, twenty-two thousand dollars;

For the board of managers, for expenses incurred by them in the discharge of their duties, three hundred dollars;

For roads, gutters and grading, one thousand five hundred dollars;

For electric current, including rental of lines, one thousand five hundred dollars;

For repairs and replacements, two thousand five hundred dollars;

For maintenance of farm, farm labor, and upkeep of buildings, five thousand dollars;

For medical treatment and care, dentist, oculist, hospital treatment, recapture of runaways, and other unforeseen contingencies, one thousand eight hundred dollars;

For insurance premiums, one thousand dollars;

For silo, six hundred dollars.

## 73.

## STATE BOARD OF CHILDREN'S GUARDIANS.

Board of  
children's  
guardians.

To the State Board of Children's Guardians, for traveling expenses, supplies, printing, postage, expressage and incidental expenses, nine thousand four hundred dollars;

For rent of offices, seven hundred ninety dollars;

For salaries of officers and employees, sixteen thousand one hundred dollars;

Widows'  
pensions.

For the purpose of carrying out the provisions of chapter two hundred and eighty-one, laws of one thousand nine hundred and thirteen, for traveling expenses, supplies, printing, postage, expressage and incidental expenses, eight thousand five hundred and forty dollars;

For salaries of officers and employees, thirteen thousand three hundred and forty dollars;

For rent of offices, two thousand one hundred and ten dollars.

## 74.

## COMMISSION FOR AMELIORATING THE CONDITION OF THE BLIND.

For the purpose of carrying out the provisions of chapter one hundred and thirty-six, laws of one thousand nine hundred and nine, eleven thousand two hundred dollars; Aiding blind.

For preventive work, one thousand five hundred dollars;

For extension of home industries and further employment of the blind, one thousand five hundred dollars;

For revolving industrial fund, one thousand dollars;

For publicity, demonstrations and sales, two hundred and fifty dollars;

For rent of building or rooms, one thousand two hundred dollars.

## 75.

## DEPARTMENT OF ARCHITECTURE.

For salaries and expenses of the Department of Architecture, pursuant to chapter one hundred and twenty-five, laws of one thousand nine hundred and seventeen, twenty-five thousand dollars. Architecture.

## 76.

## NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS, MARINES AND THEIR WIVES AND FOR THEIR WIDOWS, AT VINELAND.

For salary of commandant, one thousand five hundred dollars; Soldiers' home at Vineland.

For salary of adjutant, one thousand dollars;

For salaries of assistants, twenty-two thousand dollars;

For maintenance, seventy-five thousand dollars;

For fire insurance premiums, one thousand one hundred dollars;

For traveling expenses of the board of managers, three hundred dollars;

For fire walls, repairs and replacements, seven thousand five hundred dollars.

## 77.

## HOME FOR DISABLED SOLDIERS AT KEARNY.

Soldiers' home  
at Kearny.

For the support of the New Jersey Home for Disabled Soldiers at Kearny, and for the chaplain thereof, seventy-five thousand dollars;

For material and labor for general repairs and additions, including lavatories, electric lights and shower baths, eight thousand five hundred dollars;

For farm, stable and garage expenses, feed, wagon and automobile repairs, two thousand dollars.

## 78.

## SOLDIERS' STATE PAY.

Volunteer  
claims.

For claims of volunteers in the Civil War, for State pay, pursuant to chapter thirteen of the laws of one thousand eight hundred and sixty-one, fifty dollars.

## 79.

## DEPARTMENT OF AGRICULTURE.

Agricultural  
department.

For the Department of Agriculture, for salaries and compensation of officers and employees, fifty-seven thousand dollars;

For the Department of Agriculture, for the purpose of carrying into effect the provisions of chapter two hundred and sixty-eight, laws of one thousand nine hundred and sixteen, sixty-two thousand dollars;

For the Department of Agriculture, for the purpose of apportioning and paying to the county boards of

agriculture of the State, in its discretion, sums of money to be devoted by said county boards to the collection of and reporting to the State board crop and other agricultural statistics, and for educational purposes, one thousand dollars.

80.

#### PRESERVATION OF RECORDS.

For the purpose of publishing and completing the early records of this State, known as "New Jersey Archives," three thousand dollars. Archives.

81.

#### STATE AGRICULTURAL COLLEGE.

To the treasurer of Rutgers College, to pay the State Agricultural College for the benefit of agriculture and the mechanic arts, pursuant to chapter ninety of the laws of one thousand nine hundred and five, and amendments thereto, thirty-eight thousand four hundred dollars, payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine; Agricultural college.

For salaries, supplies and all other expenses for the maintenance of short courses in practical and scientific agriculture, pursuant to chapter fifty-five of the laws of one thousand nine hundred and five, and chapter forty-three of the laws of one thousand nine hundred and seven, twenty thousand dollars;

For reference books and periodicals, two thousand five hundred dollars;

For maintenance and development of college farm grounds, two thousand five hundred dollars;

For maintenance, long courses in agriculture, nine thousand dollars;

For summer session, fourteen thousand dollars;

For maintenance and repair of farm buildings, one thousand five hundred dollars;

For clay working and ceramics, seven thousand five hundred dollars;

For maintenance of agricultural building, one thousand five hundred dollars;

For maintenance of courses in engineering, six thousand dollars;

For maintenance of courses in chemistry, two thousand five hundred dollars;

For maintenance of courses in sanitary science and sanitary engineering, three thousand dollars;

For maintenance of course in military science, two thousand five hundred dollars;

For maintenance of courses in education, five thousand dollars;

To the treasurer of Rutgers College, for interest on one hundred and sixteen thousand dollars, certificates of indebtedness of the State of New Jersey, due January first and July first, one thousand nine hundred and eighteen, pursuant to the provisions of chapter one hundred and thirty-five of the laws of one thousand eight hundred and ninety-six, five thousand eight hundred dollars;

For the Board of Visitors to the Agricultural College of New Jersey, for personal expenses incurred pursuant to chapter three hundred and sixty-five of the laws of one thousand eight hundred and seventy-three, fifty dollars;

For advertising pursuant to chapter nine of the laws of one thousand eight hundred and seventy-nine, ninety dollars;

For erection of a calf barn, four thousand dollars.

## 82.

### AGRICULTURAL EXPERIMENT STATION.

Experiment  
station.

For salaries and expenses of the Agricultural Experiment Station, thirty thousand dollars;

For printing bulletins, including circulars, of the Agricultural Experiment Station, seven thousand dollars;

For the purpose of carrying out the provisions of "An act to provide for locating and abolishing mosquito-breeding salt-marsh areas within the State, for

assistance in dealing with certain inland breeding places, and appropriating money to carry its provisions into effect," approved April twentieth, one thousand nine hundred and six, fifteen thousand dollars;

For scientific investigation of oyster propagation, pursuant to chapter one hundred and eighty-seven, laws of one thousand nine hundred and seven, nine hundred dollars;

For the maintenance and operation of the department of poultry husbandry, pursuant to chapter fifty-two, laws of one thousand nine hundred and eleven, seven thousand five hundred dollars;

For the purpose of carrying into effect the provisions of chapter two hundred and twenty-eight of the laws of one thousand nine hundred and sixteen, three thousand five hundred dollars;

For the purpose of maintaining and carrying on experimental work in floriculture, pursuant to chapter one hundred and thirty, laws of one thousand nine hundred and eleven, three thousand five hundred dollars;

For expenses incurred in carrying out the provisions of chapter eighty-nine, laws of one thousand nine hundred and twelve, one thousand dollars;

For the purpose of carrying into effect the provisions of chapter three hundred and sixty-four, laws of one thousand nine hundred and thirteen, and for other agricultural extension work, including the printing of circulars, twenty-eight thousand dollars;

For cranberry investigation, one thousand five hundred dollars;

For the purpose of carrying into effect the provisions of chapter sixteen, laws of one thousand nine hundred and sixteen, three thousand dollars;

For repairs in Experiment Station building, six hundred dollars;

For purchase of tractors and other farm machinery, two thousand dollars;

All fees and receipts of the Experiment Station received under the provisions of chapters two hundred and eighteen and one hundred and seventy-nine, laws of one thousand nine hundred and twelve, are hereby

appropriated for the uses and purposes expressed by said chapters.

83.

COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

Palisades  
Park.

For expenses incurred by the Commissioners of the Palisades Interstate Park, twenty-five thousand dollars; said expenses to be approved by the Governor;

For the purpose of carrying into effect the provisions of chapter one hundred and twenty-four, laws of one thousand nine hundred and ten, twenty-five thousand dollars.

84.

WASHINGTON ROCK PARK COMMISSION.

Washington  
Rock Park.

For insurance, improvement and maintenance of the Washington Rock Park, including incidentals, two thousand one hundred and fifty dollars.

85.

OLD BARRACKS ASSOCIATION.

Old Barracks.

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the old barracks at Trenton, as a historical landmark and repository, two thousand five hundred dollars;

For the complete restoration and necessary reconstruction of the Old Barracks, including grading of grounds, construction of walks and drives, furniture, fittings, repairs and other alterations, five thousand dollars.

86.

STATE HORTICULTURAL SOCIETY.

Horticultural  
society.

To the treasurer of the New Jersey State Horticultural Society, pursuant to chapter one hundred and forty-one, laws of one thousand nine hundred and eleven, two thousand five hundred dollars.



## 87.

## STATE SCHOOL TAX.

For the purpose of reducing the State school tax to be assessed for the year one thousand nine hundred and eighteen, one hundred thousand dollars. Reducing tax.

## 88.

## EMERGENCY.

For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental expense of commissioners appointed by him under statute or in his discretion, the sum of ten thousand dollars. Emergency fund.

## 89.

## REFUNDING TAXES IN MISCELLANEOUS CORPORATIONS.

For taxes improperly levied upon or paid by corporations, to be refunded, pursuant to law, one thousand dollars. Refund taxes.

## 90.

## REFUND OF RAILROAD TAX.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to chapter two hundred and eighty-eight, laws of one thousand eight hundred and eighty-eight, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Comptroller, said payments shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated. Overpayments returned.

## 91.

## LEGISLATURE.

## Legislature.

For the compensation of Senators and members of the General Assembly, forty thousand eight hundred and thirty-three dollars and thirty-two cents;

For compensation of officers and employees of the Legislature, forty-nine thousand four hundred and fifty dollars;

For manuals of the Legislature of New Jersey, two thousand five hundred dollars;

For indexing the journal of the Senate and minutes of the executive sessions and the minutes of the House of Assembly, and other incidental and contingent expenses of the Legislature, twelve thousand five hundred dollars;

For toilet and other necessary supplies for use at the legislative session to be furnished by the State House Commission, one thousand dollars.

## 92.

## ADVERTISING.

## Advertising.

For advertising proclamations issued by the Governor, notices of the Attorney-General in relation to delinquent miscellaneous corporations, and notices of the Comptroller in regard to public printing, et cetera, six hundred dollars.

## 93.

## PRINTING.

## Printing.

For printing and binding public documents, eighty thousand dollars;

For compensation of an expert printer for services in preparation of specification for bids, supervision of work, examination of bills, and such other duties as may by law be imposed upon him, nine hundred dollars;

For preparing index of session laws, one hundred dollars;

For printing and circulation of the laws, six thousand dollars.

94.

MONMOUTH BATTLE MONUMENT.

For the commission having in charge the Monmouth battle monument and grounds, pursuant to chapter one hundred and eighteen of the laws of one thousand eight hundred and eighty-six, six hundred and forty-three dollars.

Freehold monument.

95.

TRENTON BATTLE MONUMENT.

For the Trenton Battle Monument Association, for the purpose of keeping said property in good condition and repair, five hundred dollars.

Trenton monument.

96.

PENSIONS.

For amount required to pay pensions, pursuant to various acts relative thereto irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired, fifteen thousand dollars.

Pensions.

97.

JUDICIAL RETIREMENT FUND.

For the purpose of carrying out the provisions of chapter three hundred and thirteen, laws of one thousand nine hundred and eight, and chapter one hundred and eighty-five, laws of one thousand nine hundred and eleven, six thousand six hundred sixty-six dollars and sixty-six cents.

Judges' pensions.

## 98.

## ANNUITY FOR WIDOWS OF GOVERNORS.

Pensions for  
widows of  
governors.

For the purpose of carrying into effect the provisions of chapter one hundred and forty-six of the laws of one thousand nine hundred and twelve, two thousand four hundred dollars.

## 99.

## WASHINGTON ASSOCIATION OF NEW JERSEY.

Morristown  
headquarters.

For trustees of the Washington Association of New Jersey, pursuant to chapter three hundred and nine, laws of one thousand eight hundred and seventy-four, twenty-five hundred dollars.

## 100.

## STATE EMERGENCY FUND.

Purchase  
fund.

Proviso.

Proviso.

For the Governor, the State Treasurer and the State Comptroller ex officio, constituting the State House Commission, to meet any condition of emergency until legislation appropriate therefor shall be enacted, the sum of five hundred thousand dollars; *provided, however*, that all disbursements therefrom shall be made only upon the written authority of each and all of the officials recited herein; *and provided, further*, that of the amount herein set forth it shall be lawful for the said officials to set aside therefrom a specific sum not exceeding two hundred and fifty thousand dollars for the purpose of making payments for purchases in the operation of chapter sixty-eight, pamphlet laws of one thousand nine hundred and sixteen, said payments, when so made, to be apportioned among the various using agencies and the appropriations current for their use as provided for in said act, under the direction of the officials hereinbefore named, in such manner that the whole of said fund will be reimbursed and the disbursements therefrom returned to the State treasury through said fund; it being the purpose to hereby establish a "Purchase Fund."

## 101.

## COMMISSION TO INVESTIGATE CONDITIONS OF CHARITABLE INSTITUTIONS.

For expenses of the commission appointed pursuant to Joint Resolution number four, approved March twenty-third, one thousand nine hundred and seventeen, one thousand dollars. Investigate charitable institutions.

## 102.

## HEALTH OFFICERS OF THE PORT OF PERTH AMBOY.

For the salary of the health officer of the port of Perth Amboy, pursuant to chapter three hundred and twenty-eight, laws of one thousand nine hundred and six, one thousand dollars; Salaries.

For salary of the deputy health officer of the port of Perth Amboy, pursuant to said chapter, two hundred and fifty dollars.

## 103.

## OBSTRUCTIONS TO NAVIGATION.

For expenses incurred in removing any boat, barge or scow stranded or sunk in any of the navigable rivers of this State, fifty dollars. Removals.

## 104.

## BODIES THROWN UPON SHORES OF THE STATE BY SHIPWRECK.

For expenses incurred in viewing bodies cast upon shores by shipwreck, fifty dollars. Shipwrecked bodies.

## 105.

## BURIAL GROUNDS.

For the care and maintenance of burial grounds purchased by the State, pursuant to chapter one hundred and seventy-one, laws of one thousand eight hundred and ninety-eight, seventy-five dollars. Cemeteries.

## 106.

## STATE CHARITIES AID ASSOCIATION.

For expenses of the association, pursuant to chapter one hundred and twenty, laws of one thousand eight hundred and ninety-two, six hundred dollars.

## 107.

## COMMISSION ON OLD-AGE INSURANCE AND PENSIONS.

Old-age pensions.

For expenses incurred by the commission appointed pursuant to chapter one hundred and ninety-eight, laws of one thousand nine hundred and eleven, one thousand two hundred dollars.

## 108.

## PASSAIC VALLEY SEWERAGE CONSOLIDATION COMMITTEE.

Consolidation of commissions.

For expenses of the commission appointed pursuant to Joint Resolution number three, approved March sixteenth, one thousand nine hundred and seventeen, five hundred dollars.

## 109.

## HOME RULE COMMISSION.

Home rule commission.

For salaries, clerical services and expenses incurred, in carrying into effect the provisions of chapter eighty-four, laws of one thousand nine hundred and sixteen, and as provided for in Joint Resolution number eight, approved March twenty-sixth, one thousand nine hundred and seventeen, nine thousand dollars.

## 110.

## PRISON LABOR COMMISSION.

Prison labor commission.

For salaries of secretary, investigator and stenographer, two thousand nine hundred and forty dollars;  
For the purchase of land adjoining the prison farm in Cumberland county, three thousand dollars;

For printing, postage, expressage and other incidental expenses, six hundred dollars;

For expenses of commissioners, six hundred dollars;

For expenses of investigator, five hundred dollars.

## III.

## COUNTY TUBERCULOSIS HOSPITALS.

For support of patients, at the rate of three dollars per week, pursuant to chapter two hundred and seventeen, laws of one thousand nine hundred and twelve, in the following county hospitals:

County tubercular hospitals.

Atlantic county, four thousand eight hundred sixty-nine dollars and eighty-six cents;

Camden county, six thousand dollars;

Essex county, fourteen thousand five hundred dollars;

Hudson county, forty-four thousand and five hundred sixty-one dollars and ninety-eight cents;

Mercer county, six thousand one hundred dollars;

Morris county, four thousand two hundred and twelve dollars;

Union county, fifteen thousand seven hundred dollars;

Said amounts to include payment of bills prior to current fiscal year.

## II2.

## COMMISSION ON ELIMINATION OF TOLL BRIDGES.

For expenses of the commission appointed pursuant to chapter two hundred and ninety-seven, laws of one thousand nine hundred and twelve, one thousand five hundred dollars;

Free interstate bridges.

For the purpose of carrying into effect the provisions of chapter two hundred and ninety-seven, laws of one thousand nine hundred and twelve, one hundred thousand dollars.

## 113.

## BUDGET ACT EXPENSES.

Budget system. For the purpose of carrying into effect the provisions of chapter fifteen, laws of one thousand nine hundred and sixteen, ten thousand dollars.

## 114.

## COMMISSION ON PORT DEVELOPMENT.

Port of New York. For the purpose of carrying into effect the provisions of chapter one hundred and thirty, laws of one thousand nine hundred and seventeen, ten thousand dollars.

## 115.

## JOINT JUDICIAL INVESTIGATING COMMISSION.

General investigations. For expenses incurred by the commission appointed pursuant to Joint Resolution number eleven, approved March twenty-ninth, one thousand nine hundred and seventeen, one thousand dollars.

## 116.

## COMMISSION TO INVESTIGATE THE HIGH COST OF LIVING.

Commission on high cost of living. For expenses incurred by the commission appointed pursuant to Joint Resolution number two, approved January twenty-third, one thousand nine hundred and seventeen, five hundred dollars.

## 117.

## COMMISSION FOR THE SURVEY OF MUNICIPAL FINANCING.

Commission on municipal financing. For the purpose of carrying into effect the provisions of Joint Resolution number seven, approved March eighteenth, one thousand nine hundred and sixteen, one thousand dollars.



## 118.

## PENSION RETIREMENT COMMISSION.

For expenses incurred by the commission appointed pursuant to Joint Resolution number eleven, approved March twenty-ninth, one thousand nine hundred and seventeen, two thousand dollars.

Retirement  
on pension.

## 119.

## NEW NORMAL SCHOOL.

For the purchase of site and erection of building or buildings thereon for the establishment of a new State normal school, pursuant to chapter seventy-six, laws of one thousand nine hundred and thirteen, three hundred thousand dollars.

Normal school  
in South  
Jersey.

## 120.

## COMMISSION TO REVISE CORPORATION LAWS.

For expenses of the commission to revise corporation laws, two hundred and fifty dollars.

Revise corpo-  
ration laws.

## 121.

## BOARD OF FISH AND GAME COMMISSIONERS.

For construction of dams, lakes, bass ponds, toilet accommodations, grading and filling, for completion of State fish hatchery, twenty-seven thousand seven hundred dollars.

Disallowed.

## 122.

## REPORT OF KEARNY COMMISSION.

For the purpose of carrying out the provisions of the joint resolution entitled "A joint resolution providing for the cost of printing five hundred copies of the Report of the Kearny Commission," approved April fourteenth, one thousand nine hundred and fifteen, five hundred dollars.

Printing re-  
port.

## 123.

## RED BANK BATTLE MONUMENT.

Red Bank  
monument.

To the board of chosen freeholders of the county of Gloucester, for the purpose of aiding in the care and supervision of the Red Bank Battle Monument in said county, and in the maintenance of the ground upon which the same is located with which they are charged by the provision of chapter seventy-nine, laws of one thousand nine hundred and five, five hundred dollars.

## 124.

## COLONIES FOR FEEBLE-MINDED MALES.

Feeble-minded  
males.

For food, clothing, fuel, power, supplies and incidentals, fifteen thousand dollars;

For salaries of superintendent, attendants and other employees, seven thousand one hundred and fifty dollars;

For the purpose of converting present stable into shop and storeroom, one thousand dollars;

For painting, laying walks and incidental improvements, five hundred dollars;

For barn, stable and silo, four thousand dollars;

For pig pens, poultry houses and other outbuildings, six hundred dollars;

For buildings for dormitory, twelve thousand dollars;

For furnishing and equipping dormitory building, two thousand dollars;

For equipping and fitting out shops, five hundred dollars;

For purchase of live stock and farm implements, one thousand five hundred dollars;

For fire insurance premiums, three hundred dollars.

## 125.

## STATE NORMAL SCHOOL AT ELIZABETH.

Elizabeth Nor-  
mal school.

For the purpose of carrying into effect the provisions of chapter two hundred and seventy-four, laws of one

thousand nine hundred and sixteen, ten thousand dollars.

2. The following sums are hereby appropriated out of the income of the school fund for the purposes specified for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and eighteen. School aid:

I.

FREE PUBLIC SCHOOLS.

For the support of free public schools, two hundred and fifty thousand dollars. Schools;

2.

PREMIUMS AND ACCRUED INTEREST.

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of public schools. Bond purchases;

3.

SCHOOL FUND EXPENSES.

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof, three thousand dollars. Legal expenses.

3. Before any building or buildings shall be commenced or work undertaken, for the cost of which money is appropriated by this act, the plans, specifications and contracts necessary for the entire completion thereof shall, and each of them shall be submitted to and approved by the Governor, and such contracts shall not be approved or entered into if the total expenditure under all the contracts necessary to the entire completion of such building, buildings or work according to such plans and specifications shall exceed the amount appropriated by this act for such building, buildings or work; Approval of plans and contracts by Governor.

If appropriation not sufficient to lapse.

Proviso.

Moneys used as specified.

Payments on contracts.

and in any and every case where it shall appear that the appropriation is insufficient to complete such building, buildings or work, the appropriation hereby made therefor shall not be applied toward the construction of such building or buildings, or prosecution of such work, but shall lapse, and no payment shall be made therefrom; *provided, however*, that the provisions of this section, prohibiting the expenditure of the whole or any part of an appropriation, which in itself is insufficient to complete any building, buildings or work, and providing for the lapsing of such appropriations, shall not apply to nor restrict the expenditure of any moneys herein appropriated for the construction, completion of construction, equipment or furnishing of any armory or armories which have been heretofore authorized and which are partially constructed, completed or furnished, but such appropriation shall be available for the uses and purposes herein expressed to the full extent thereof.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, moneys derived from the act to tax real and personal property in the several municipalities in this State for State road purposes, United States appropriation to Agricultural College, United States appropriation for disabled soldiers, United States appropriations for disabled soldiers, sailors, marines and their wives, Agricultural College fund and taxes for the use of taxing districts in this State, moneys received pursuant to the laws relating to motor vehicles, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, academic certificate fund, vocational schools, pensions of teachers and school officers authorized by law, moneys received from tuition at the summer schools, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous year, nor of any pay-

ments into the State treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven (chapter two hundred and eighty-eight, laws of one thousand nine hundred and seven), which moneys by the provisions of chapter forty-one, laws of one thousand nine hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners, under any of the fish and game laws of this State, which moneys may be paid out as other moneys of the State; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chapter one hundred and eighty-seven, laws of nineteen hundred and thirteen; *provided, however*, that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison, as receipts for the labor of inmates of those institutions.

Proviso.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

Transfer of moneys to other items.

Authority given.

Proviso.

6. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of the State, to

Disbursements so as to conserve interests of State.

first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriation may have been made as in his judgment may best conserve the interest of the State.

Act effective.

7. This act shall take effect on the first day of November, one thousand nine hundred and seventeen. •

Approved except as to lines 16, 17, 18, 19 of item No. 37, \$500, and item No. 121, \$27,700.

WALTER E. EDGE,

April 3, 1917.

## CHAPTER 278.

An Act concerning the offices or employments of appraisers and employees appointed or employed by the Comptroller of the Treasury pursuant to the provisions of an act entitled "A supplement to an act entitled 'An act to tax the transfer of property of resident and nonresident decedents by devise, bequests, descent, distribution by statute, gift, deed, grant, bargain and sale, in certain cases,' approved April twentieth, one thousand nine hundred and nine," approved March twenty-sixth, one thousand nine hundred and fourteen.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Certain positions vacated.

1. The offices and employments of all appraisers and employees appointed or employed by the Comptroller of the Treasury pursuant to the provisions of an act entitled "A supplement to an act entitled 'An act to tax the transfer of property of resident and nonresident decedents by devise, bequests, descent, distribution by

statute, gift, deed, grant, bargain and sale, in certain cases,' approved April twentieth, one thousand nine hundred and nine," approved March twenty-sixth, one thousand nine hundred and fourteen, subsequent to the approval thereof, are hereby vacated.

2. Such offices and employments are hereby declared to be within the classified service of the State of New Jersey Civil Service, subject to all the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties, approved' April tenth, one thousand nine hundred and eight," and the Civil Service Commission shall forthwith classify such offices and employments.

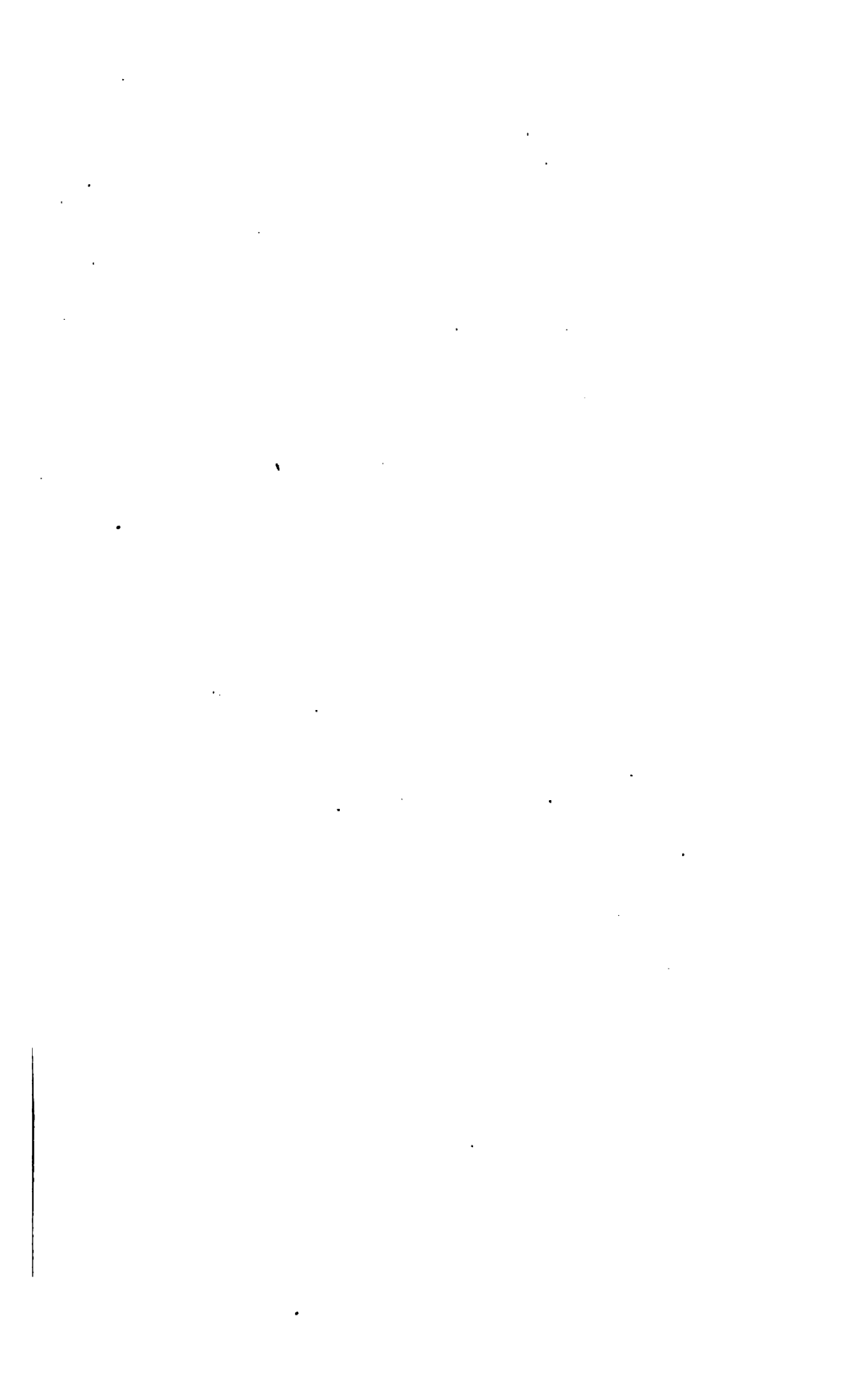
Placed in  
classified serv-  
ice.

3. The Comptroller of the Treasury shall proceed forthwith to appoint the necessary appraisers and employees, in accordance with the provisions of the said Civil Service law, and those persons whose offices and employments are hereby vacated shall have no preference or prior claim to reappointment to their said offices or employments.

Appraisers  
appointed  
under civil  
service law.

4. This act shall take effect immediately.

Approved April 4, 1917.





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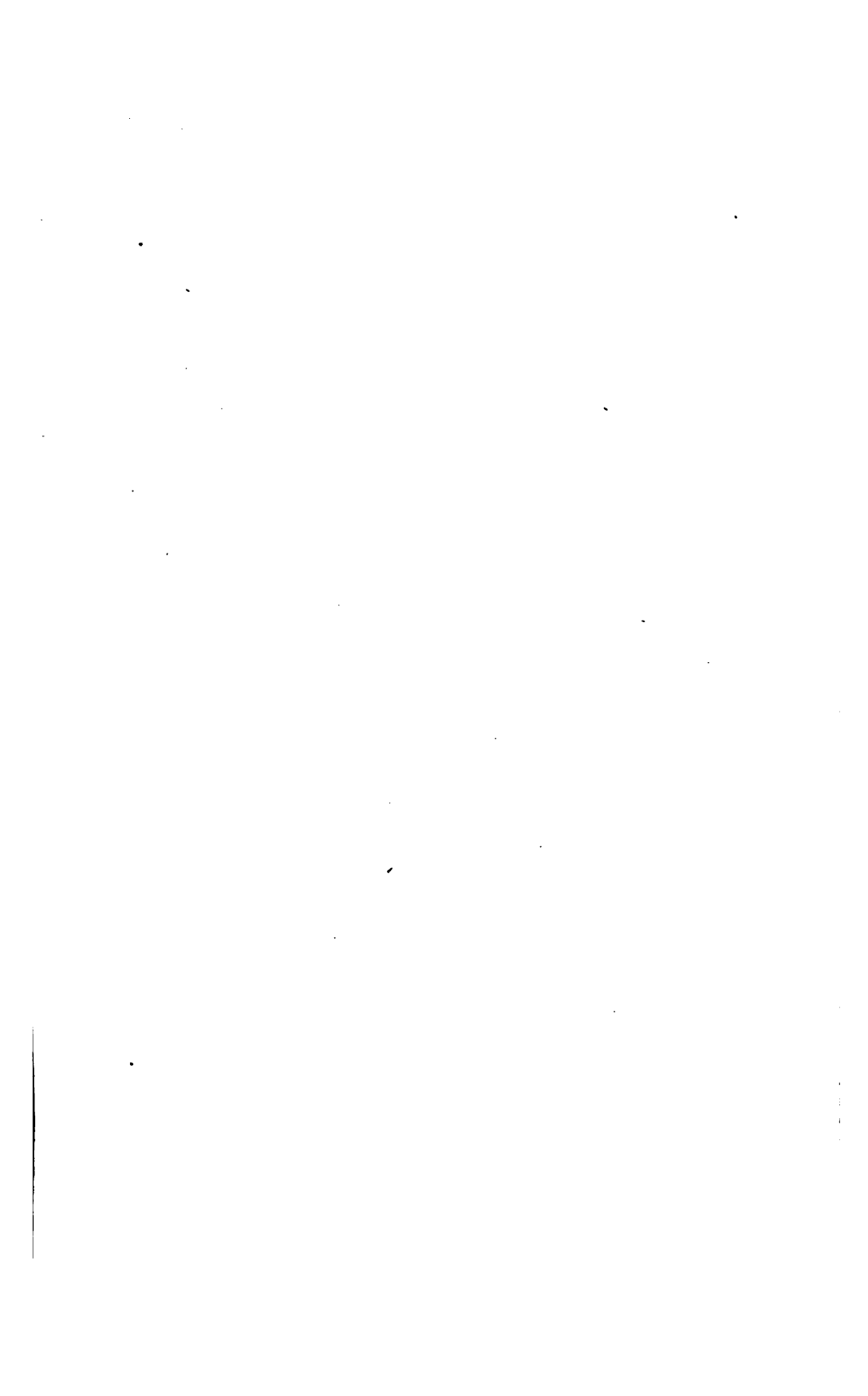
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# JOINT RESOLUTIONS.

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(987)



## Joint Resolutions.

### JOINT RESOLUTION No. 1.

Joint Resolution authorizing the appointment of a commission to investigate into the conditions of the penal, reformatory and correctional institutions of this State.

*BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:*

1. The Governor of the State is hereby empowered to appoint five persons, who, either investigating separately or in conjunction with the Governor, shall investigate into the conditions of the penal, reformatory and correctional institutions of this State, and also into what is known as the "State Use System" and the employment of prisoners on roads, prison farms or in other capacities. The term "penal, reformatory and correctional institutions of this State" shall not include any of the State hospitals, tuberculosis sanatoriums, home for feeble-minded women or any other charitable institution of this State, but it shall apply solely to those which are penal and correctional in their nature. The commission shall report to the present session of the Legislature the result of its research, and with such recommendations as it may deem advisable. The members of the said commission shall serve without salary, but shall be entitled to receive compensation for all necessary traveling expenses. The commission shall select a chairman and shall have power to employ necessary legal, clerical and other assistants.

2. Said commission shall sit at such times and places as the majority of them shall decide and shall have

Commission  
to investigate  
penal institu-  
tions, etc.

Report.

Expenses met.

Chairman and  
assistants.

Sittings; wit-  
nesses.

(989)

power to compel the attendance of witnesses and the production of books and papers, by notice or subpoena.

Appropriation.

3. The sum of three thousand dollars (\$3,000.00) is hereby appropriated for the defraying of the expenses incurred by said commission, when such sum is included in any regular or supplemental appropriation bill.

4. This joint resolution shall take effect immediately.

Approved January 23, 1917.

### JOINT RESOLUTION No. 2.

Joint Resolution authorizing the appointment of a commission of five persons to investigate the subject of the high cost of living.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Commission  
on high cost  
of living.

1. The Governor of the State is hereby authorized to appoint a commission of five persons, citizens of this State, to investigate the subject of the high cost of living, which commission shall have power to work and co-operate with like commissions from adjoining States. The said commission shall, in any manner in which it may deem advisable, thoroughly investigate the possibilities through marketing and other facilities of the reduction in the present cost of living, and said commission shall not be limited in any manner whatsoever in its investigation. Said commission shall likewise have power to issue subpoenas for the attendance of persons and corporations as now provided by law, and said commission shall report to the present session of the Legislature.

2. This joint resolution shall take effect immediately.

Approved January 23, 1917.

## JOINT RESOLUTION No. 3.

Joint Resolution authorizing the appointment of a commission by the Governor to inquire into the practicability of consolidating the functions of the North Jersey District Water Supply Commission and the Passaic Valley District Sewerage and Drainage Commission under the control and authority of one State board.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The Governor of the State is hereby empowered to appoint a commission to consist of three citizens of the State, who, either investigating separately or in conjunction with the Governor, shall inquire into the practicability of consolidating the functions of the North Jersey District Water Supply Commission and the Passaic Valley District Sewerage and Drainage Commission, under the control and authority of one State board.

Question of  
consolidating  
commissions.

2. Such commission shall report to the present or next session of the Legislature whether or not it will be in the interest of economy and efficiency to effect such consolidation, and also whether such consolidation is legally and otherwise practicable of accomplishment.

Report.

3. This joint resolution shall take effect immediately.

Approved March 16, 1917.

## JOINT RESOLUTION NO. 4.

Joint Resolution authorizing the appointment of a commission to investigate into the conditions of institutions of this State which come within the scope or under the supervision of the Department of Charities and Corrections, other than penal, reformatory and correctional.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Investigation  
of institutions,  
except penal.

1. The Governor of the State is hereby empowered to appoint five persons, who, either investigating separately or in conjunction with the Governor, shall investigate into the conditions of all institutions of this State which come within the scope or under the supervision of the Department of Charities and Corrections, except penal, reformatory and correctional institutions, and also into the ways and means and methods of centralizing authority or control over all such institutions, transfer of inmates and all other questions of betterment and improvement. The commission shall report to the next succeeding session of the Legislature the results of its research and with such recommendations as it may deem advisable. The members of said commission shall serve without salary, but shall be entitled to receive compensation for all necessary traveling expenses. The commission shall select a chairman, and shall have power to employ necessary legal, clerical and other assistance.

Report.

Expenses met.

Chairman and  
assistants.

Sittings; wit-  
nesses.

2. Such commission shall sit at such times as the majority of them shall decide, and shall have power to compel the attendance of witnesses and the production of books and papers by notice or subpoena.

Appropriation.

3. The sum of three thousand dollars (\$3,000) is hereby appropriated for the defraying of the expenses

incurred by said commission when such sum is included in any regular or supplemental appropriation bill.

4. This joint resolution shall take effect immediately.

Approved March 23, 1917.

### JOINT RESOLUTION NO. 5.

Joint Resolution relative to the establishment of definite line of division between Federal and State taxes, and the calling of a congress of the States to consider conflicting jurisdictions of the Federal and State governments.

WHEREAS, In the exercise of its taxing power the Federal government is embracing the sources of revenue heretofore not availed of by that government; and

Preamble.

WHEREAS, There exists a line which separates the taxable units that equitably and logically may be left solely to State taxation from the units logically belonging to the broader Federal jurisdiction; and

Preamble.

WHEREAS, The establishment of some reasonable line of division, giving to the States sole taxing authority below such line and to the Federal government sole taxing authority above such line, would cure much of the trouble existing because of conflict of jurisdiction between States; would relieve the tension between Federal and State governments; would result in great economy in the levying and collection of taxes, and would relieve the growing dissatisfaction on the part of the taxpayer, resulting from irritating and expensive duplication of accounts and reports and double taxation; now, therefore,

Preamble.

BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

That we respectfully urge upon the Congress of the United States and the Legislatures of the several States

A congress to consider Federal and State revenues urged.

## JOINT RESOLUTION NO. 5.

the need of holding a congress of the States to consider the subject of Federal and State sources of revenue, with the object of adopting and urging upon the Congress of the United States a definite policy in segregation of State and Federal revenue, and we urge the Legislatures of the other States to provide for attendance of representatives at such congress; and be it further

Representatives.

*Resolved*, That the President of the United States be invited to appoint a representative, and that both Houses of Congress of the United States be invited to appoint representatives to attend such conference; and be it further

Delegates from New Jersey.

*Resolved*, That the Governor of New Jersey be authorized to appoint delegates to represent New Jersey at such conference, providing such a conference meets with the approval of and is authorized by the President of the United States; and be it further

Copies sent to members of Congress, etc.

*Resolved*, That a copy of these resolutions be forthwith transmitted by the Secretary of the Senate to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States; a copy hereof to each member of Congress from the State of New Jersey, and a copy to the President of the Senate and to the Speaker of the House of Representatives of each of the State Legislatures in session at this time.

Approved March 23, 1917.



## JOINT RESOLUTION No. 6.

Joint Resolution approving, confirming and ratifying the action of the Governor in accepting the Federal Aid act for roads, and expressing the opinion of the Legislature as to the moral obligations thereby assumed by the State.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The action of the Governor of this State, in accepting the provisions of an act of Congress approved July eleventh, one thousand nine hundred and sixteen, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads and for other purposes," under date of August fifteenth, nineteen hundred and sixteen, is hereby approved, confirmed and ratified; and the Senate and General Assembly of the State of New Jersey, in its own behalf and in behalf and for the benefit of the State of New Jersey, hereby accepts the provisions of the said act of Congress.

Acceptance of  
act of Congress  
approved.

2. In the opinion of the Senate and General Assembly, the act of the State in accepting the provisions of the said act of Congress and the allotments made to the State of New Jersey thereunder for the year ending June thirtieth, nineteen hundred and seventeen, imposes a moral obligation upon the State to provide the means necessary to meet subsequent allotments under the said act, for which the Federal Government has already made appropriation, and to exert all the powers now conferred by the statute upon any State official to provide for the proper maintenance and repair of roads improved or reconstructed with Federal aid.

Obligation of  
State to meet  
allotments.

3. This joint resolution shall take effect immediately.  
Approved March 23, 1917.

Maintenance  
of roads.

## JOINT RESOLUTION No. 7.

Joint Resolution authorizing and constituting the Judiciary Committee of the Senate and the Judiciary Committee of the House of Assembly of the one hundred and forty-first Legislature of New Jersey, a joint committee to make a survey of questions of public interest and to investigate violations of law and the conduct of any public official, public body, department, board or commission.

BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

Joint committee to make general investigations.

1. The Judiciary Committee of the Senate and the Judiciary Committee of the House of Assembly of the one hundred and forty-first Legislature are hereby authorized and constituted a joint committee for the purpose of making a survey of any questions of public interest and to investigate violations of law, the conduct of any public official, public body, board, department or commission. The joint committee so constituted shall report to the next session of the Legislature the results of its survey and investigation, and with such recommendations as it may deem advisable. The members of the said committee shall serve without salary, but shall be entitled to receive reimbursement for all necessary traveling expenses. The committee shall select a chairman and secretary, and shall have power to employ necessary legal, clerical and other assistants.

Report.

Expenses met.

Officers and assistants.

Sittings and witnesses.

2. Said committee shall sit at such times and places as the majority of them shall decide, and shall have power to compel the attendance of witnesses and the production of books and papers by notice or subpoena.

3. This joint resolution shall take effect immediately.  
Approved March 26, 1917.

## JOINT RESOLUTION No. 8.

Joint Resolution for the continuance of the commission to revise and codify the statutes of this State relating to cities and other municipalities.

WHEREAS, The commission created under chapter 84 of the session laws of nineteen hundred and sixteen has made its report to this Legislature accompanied with bills revising and codifying the statutes of this State relating to cities and other municipalities; AND WHEREAS, It is deemed advisable that said commission should continue the work of revising and codifying the statutes of this State relating to counties as well as other statutes relating to the governmental functions of all municipalities and to study the operation of the bills heretofore reported by said commission; AND WHEREAS, Salaries paid by counties should be fixed and regulated by local agencies, rather than by application to the Legislature; therefore,  
BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Preamble.

1. The commission heretofore appointed under chapter 84 of the laws of nineteen hundred and sixteen to revise and codify the statutes of this State relating to cities and other municipalities be and the same is hereby continued for the purpose of preparing and reporting such bill or bills for the consideration of the Legislature as will accomplish the objects set forth in the preambles hereto.

Commission on revision of municipal laws continued.

2. Each of said commissioners shall receive the sum of two thousand five hundred dollars, payable by the Treasurer of the State out of any appropriation made therefor. Any expense necessarily incurred by the commission shall, when approved by the Governor, be paid by the Treasurer on the warrant of the Comptroller out of any funds specially appropriated for that purpose.

Salary.

Expenses.

Vacancy.

The Governor may fill any vacancy in said commission occurring for any cause.

Report by bill.

3. The commissioners shall perform the work assigned to them as speedily as practicable and submit the bill or bills prepared by them, together with such suggestions as may be deemed expedient, to the next Legislature.

4. This joint resolution shall take effect immediately.

Approved March 26, 1917.

### JOINT RESOLUTION No. 9.

Joint Resolution relative to the improvement of the Passaic river between Paterson and Passaic by making same navigable.

Preamble.

WHEREAS, By virtue of an act of the Legislature of this State entitled "An act authorizing the appointment of a commission to inquire as to the practicable extension of navigation of the Passaic river between the cities of Passaic and Paterson and making an appropriation for incidental expenses," approved March twenty-sixth, one thousand nine hundred and twelve, a commission was appointed to inquire into and ascertain

Subjects of inquiry: Commercial benefits;

(1) What benefit, if any, would accrue to the commercial interests of the State if the Passaic river were made navigable from the city of Passaic to the city of Paterson;

Surveys made;

(2) What surveys, if any, of said river between the cities aforesaid have been made by the Federal Government, and what estimates, if any, have been made of the costs of making said part of river navigable;

Advisability of improvement; obstacles.

(3) And generally to investigate the need and advisability of improving said river for the purpose of

navigation; and the existence of any obstacles to the making of such improvement; and

WHEREAS, The commissioners appointed under said act made their report to the one hundred and thirty-seventh Legislature of the State of New Jersey, wherein they set forth, among other things, the benefits which would accrue to the commercial interests of the State if the Passaic river were made navigable to the city of Paterson, the need and advisability of improving the river, and that the Dundee dam was the chief obstacle to the improvement of said river at the present time, and recommended

Preamble.

That the State use all its power to have the Passaic river made navigable to Straight street, Paterson, to the depth of nine to twelve feet; and

Recommendation made.

WHEREAS, Since the making of said report, a new survey of said river, between the cities of Passaic and Paterson, has been made by the War Department of the United States, and that, among other things, said department reported unfavorable as to the improvement of said river as far up as Straight street, unless the claim made by the Dundee Land and Water Power Company, that it has the first right to the use of the waters of the Passaic river at the Dundee dam, even as against the right of the United States to use these waters for navigation, is declared invalid; and

Preamble.

WHEREAS, We believe that the development of the inland waterways of this State is of vital importance to the prosperity of the citizens of New Jersey, and that if said river is made navigable from the city of Passaic to the city of Paterson it would give additional transportation to a large population engaged in commercial pursuits; and

Preamble.

WHEREAS, The said company under its charter was required to improve the navigation of the Passaic river between the mouth of the Weasel brook and some convenient point within the corporate limits of the city of Paterson; and

Preamble.

WHEREAS, It has neglected to make any such improvement;

Preamble.

Board of  
commerce and  
navigation to  
ascertain  
rights of  
Dundee Co.

*Resolved*, That it be referred to the Board of Commerce and Navigation of this State to investigate the rights acquired by said company in the Passaic river and the waters thereof, and to recommend whether it is advisable for the State to exercise the power, reserved in the charter of said company, of repealing the same, and to prepare such legislation as in the judgment of said board will be necessary to overcome the objection so raised by the War Department to make navigable the Passaic river between Passaic and Paterson, and to make their report to the next session of the Legislature.

Approved March 26, 1917.

### JOINT RESOLUTION No. 10.

Joint Resolution for the appointment of a commission for the investigation of the methods employed and the laws which govern the financing of municipal, school district and county affairs.

*BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:*

Membership  
of commission  
on municipal  
financing.

I. That the members of the commission for the survey of municipal financing as appointed or confirmed under Joint Resolution No. 9, approved March eighteenth, nineteen hundred and sixteen be reappointed, except that the Speaker of the House of Assembly shall appoint a member in the stead of Ogden H. Hammond. The commission to further survey the subject of the taxes, revenue and expenditure of municipalities, school districts and counties and such other matters pertaining to the finances and accounting of same as shall contribute to a better understanding of the subject. Such commission to render its report to the present, or to any future session of the Legislature, said report to be supported by such bills as may be deemed necessary for a more or

Further sur-  
vey.

Report.

derly and economical program of financing and a more scientific distribution of the tax burden.

2. The commission shall have the power to subpoena and examine witnesses, and for such purpose to administer oaths and to subpoena the production of records or documents pertaining to the finances or the taxing system of any municipality, school district or county. The said commission to meet during the present session of the Legislature and after adjournment thereof, in such place or places and at such time or times as it may appoint.

Witnesses.

Meetings.

3. The members of said commission shall serve without pay, and for the purpose of defraying expenses of said commission for clerk hire, for procuring assistance for conducting investigations, for collecting or tabulating data and statistics, or for any other purpose that may be necessary for the conduct of the survey, such moneys or any portion of same as may be appropriated in any annual or supplemental appropriation bill, shall be paid by the Treasurer of the State upon warrant of the Comptroller of the Treasury upon vouchers certified by the chairman and secretary of said commission.

Expenses.

4. This resolution shall take effect immediately.

Approved March 27, 1917.

## JOINT RESOLUTION No. 11.

Joint Resolution for the appointment of a commission to investigate the subjects of municipal, county and State pension and retirement funds.

WHEREAS, There appear at each session of the Legislature numerous bills which are designed to provide pensions for various classes of service rendered to municipalities and counties, many of them imposing a mandatory obligation upon the municipality to pro-

Preamble.

## JOINT RESOLUTION NO. 11.

vide sustenance for those injured in the performance of duty; or to provide for the widows and orphans of those whose lives are sacrificed in discharging such duties; others providing pensions for those who have served a term of years or attained a stated age;

Preamble.

AND WHEREAS, The Legislature cannot during the busy weeks of its session ascertain the conditions and facts surrounding these demands, and deal fairly with those who would receive the benefit of legislation of this class and the taxpayers whose money is thus appropriated;

Preamble.

AND WHEREAS, Hastily considered legislation may provide pensions or retirement funds for public servants to an amount that is unreasonably large, or, on the other hand, provide inadequately or entirely neglect other public servants whose services should demand equal recognition;

Preamble.

AND WHEREAS, It is the opinion of the members of this Legislature that citizens of our State desire to recognize the services of those who serve them and that there is a very general public sentiment that the entire system of pension and retirement fund be placed upon a scientific basis; therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Pension and Retirement commission.

I. That a commission of five members be appointed, two by the President of the Senate and three by the Speaker of the House, to be known as "The Pension and Retirement Commission," to make a survey of the subject of pensions and retirement funds for the employees of the various municipal, county and State governments, and reports its findings to the present or a future session of the Legislature with such recommendations as it may deem best regarding municipal pensions and retirement funds.

Duties.

Report.

No legislation until report.

*And be it further resolved,* That it is the sense of this Legislature that no further legislation along the lines above indicated should be enacted until the coming in of said commission report.

Appropriations.

*And be it further resolved,* That an appropriation of one thousand dollars be placed in the supplemental ap-



JOINT RESOLUTION NO. 11.

1003

appropriation bill and two thousand dollars in the annual appropriation bill to defray the expenses of such commission.

2. This resolution shall take effect immediately.

Approved March 29th, 1917.



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# PROCLAMATIONS.

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(1005)



## Proclamations by the Governor.

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### PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The appointment of certain officers required by law to be named by the Governor, with the advice and consent of the Senate, is of such importance that in the opinion of the Governor public necessity requires the convening of the Senate in accordance with the provisions of Article V, paragraph 6 of the State Constitution;

NOW, THEREFORE, I, JAMES F. FIELDER, Governor of the State of New Jersey, in and by virtue of the power vested in me by the Constitution, do hereby convene the Senate of this State to meet in special session in the Senate Chamber, State House, Trenton, on Tuesday, the twenty-seventh day of June, A. D. 1916, at ten-thirty o'clock in the morning of said day.

Given under my hand and the Great Seal of the State of New Jersey, this twenty-third day [SEAL] of June A. D. 1916, and in the Independence of the United States, the one hundred and fortieth.

JAMES F. FIELDER,  
*Governor.*

THOMAS F. MARTIN,  
*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, Austen Colgate was, at the general election held on the Tuesday next after the first Monday in November, in the year nineteen hundred and fourteen, elected by the voters of the county of Essex to represent said county in the Senate of this State, and subsequently duly qualified himself as such Senator; and after such election and qualification, to wit, on the eighteenth day of August, nineteen hundred and sixteen, he resigned the said office of Senator, thereby causing a vacancy to exist in the Senate of this State;

THEREFORE, I, JAMES F. FIELDER, Governor of the State of New Jersey, pursuant to law, do hereby issue this my proclamation directing that an election be held according to law in said county, on Tuesday, the seventh day of November next ensuing the date hereof, for the purpose of electing a Senator for said county to fill the vacancy caused by the resignation of the said Austen Colgate.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, the twenty-second day of August, A. D. nineteen hundred and sixteen and of the Independence of the United States, the one hundred and forty-first.

JAMES F. FIELDER,

By the Governor:

*Governor.*

THOMAS F. MARTIN,  
*Secretary of State.*

PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, A concerted effort has been made in many States to reduce the great amount of suffering and loss occasioned annually by injury to persons, death and the destruction and damage to property through fire, by calling upon the individual citizen to give heed and attention to measures of fire prevention and protection;

NOW, THEREFORE, I, GEORGE W. F. GAUNT, President of the Senate, Acting Governor of the State of New Jersey, believing that the citizens of this State should join in such movement, do hereby proclaim and request that Monday, the ninth day of October, 1916, be known and observed as

FIRE PREVENTION DAY

throughout our State.

I suggest and request that each citizen lend his aid toward preventing fires and conflagrations, by removing any danger found to exist upon his own property; that rubbish, trash and unnecessary accumulation of inflammable and combustible material be destroyed; that heating and lighting appliances be carefully inspected and repaired where found necessary; that factories, public buildings and institutions be carefully inspected for fire risks; that special attention of the governing bodies of our municipalities be given to hydrants, water pressure, fire-fighting apparatus and appliances, and that wise and precautionary measures be generally taken to lessen fires.

I further suggest and request that campers, hunters and others who use, for pleasure or profit, the forests of our State, whether contained in the State Reserve or in private property, carefully refrain from making fires where underbrush, dry leaves and decayed vegetation abound, and from leaving smoldering embers of fires or

carelessly throwing away lighted cigars, cigarettes and matches in such places, inasmuch as these practices have in recent years resulted in forest fires causing thousands of dollars of almost irreparable loss.

Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day  
[SEAL] of September, A. D. one thousand nine hundred and sixteen, and in the Independence of the United States the one hundred and forty-first.

GEORGE W. F. GAUNT,  
*President of the Senate*  
*Acting Governor.*

By the Governor:  
THOMAS F. MARTIN,  
*Secretary of State.*

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#### PROCLAMATION.

##### STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT.

WHEREAS, It has been made known to me by Honorable Jonathan H. Kelsey, Prosecutor of the Pleas of the county of Burlington, in the State of New Jersey, that on the fifth day of October, nineteen hundred and sixteen, Andrew Jackson Rider, Elsie Rider Smathers, Henry D. Rider and J. H. Rigby were assaulted feloniously with intent to kill in the township of Tabernacle, in the county of Burlington, in this State, and that by reason of such assaults the victims thereof were seriously injured, and said Henry D. Rider subsequently languished and died, whereby crimes of murder and other high misdemeanors have been committed; and

WHEREAS, A complaint has been duly made upon the oath of Ellis H. Parker, the County Detective in and for said county of Burlington, charging certain persons known and certain persons unknown with said crime of murder and said high misdemeanors; and



## PROCLAMATIONS.

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WHEREAS, The said Prosecutor of the Pleas has made application to me for the issuance of a proclamation offering a reward for the apprehension and conviction of the nine or ten persons said to be guilty of said crimes of murder and high misdemeanors, and the Attorney-General of the State of New Jersey approving said application;

NOW, THEREFORE, I, JAMES F. FIELDER, Governor of the State of New Jersey, in pursuance of the power and authority vested in me by the provision of section twenty-nine of an act of the Legislature of this State entitled "An act relative to courts having criminal jurisdiction, and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, do hereby offer a reward of two hundred and fifty dollars for apprehending and securing each and every person, known or now unknown, charged and guilty of the crime of murder and other high misdemeanor as aforesaid, said reward to be paid for each and every person so apprehended and secured, to the person or persons entitled thereto, in the manner directed by the statute, as aforesaid.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, this [SEAL] eighth day of November, A. D. 1916, and of the Independence of the United States, the one hundred and fortieth.

JAMES F. FIELDER,

By the Governor:

*Governor.*

THOMAS F. MARTIN,

*Secretary of State.*

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## PROCLAMATION.

For the people of the United States of America, the blessings of national peace and prosperity should at this time hold a peculiar and deep significance. While our

brothers of other great nations are contending against the sacrifices, wastage and horrors of war; while devastation stalks through their lands bringing privation, suffering and distress in its train and the paralyzing hand of death is laid upon them and fathers and mothers, widows and orphans mourn amid the ruins of their homes, our country is at peace, our people are employed, contented and happy and no homes are desolate because the spectre of war casts its shadow upon them. For this fortunate condition in which the people of our State share, as well as for other blessings the waning year has brought us, we should set aside a special day upon which to offer grateful acknowledgment.

THEREFORE, I, JAMES F. FIELDER, Governor of the State of New Jersey, do designate Thursday, the thirtieth day of November, nineteen hundred and sixteen, as a day to be observed by general thanksgiving and prayer, recommending that upon that day all business be laid aside, and that our people in their homes, their churches or other fitting places, do make sincere acknowledgment to Almighty God for the benefits and bounties He has vouchsafed us; for that feeling of good will toward other nations, which breeds no coveting of territory or international strife; for our peaceful and prosperous land; for bountiful harvests; for busy factories and workshops; for improvement in our social and industrial processes and conditions; for the absence of general sorrow from the homes of our people and for manifold individual blessings we enjoy.

Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of November, in the year of our Lord one [SEAL] thousand nine hundred and sixteen, and in the Independence of the United States, the one hundred and forty-first.

JAMES F. FIELDER,

By the Governor:

*Governor.*

THOMAS F. MARTIN,

*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

For several years passed the National Association for the Prevention of Tuberculosis has designated a time each year for the observance of the National Tuberculosis Sunday, for the purpose of creating a concerted anti-tuberculosis movement. This year December tenth has been designated as Tuberculosis Sunday.

THEREFORE, I, JAMES F. FIELDER, Governor of the State of New Jersey, do hereby proclaim and request that Sunday, the tenth day of December, 1916, be known and observed throughout this State as TUBERCULOSIS DAY.

I suggest and request that on that day public attention be directed to the investigation made by our health authorities, medical societies and associations and that the recommendations made by these bodies for the prevention of tuberculosis be studied and observed. By these means the spread of this dread disease may be retarded and the causes of tuberculosis may be avoided.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, this [SEAL] fifth day of December, A. D. 1916, and in the Independence of the United States, the one hundred and forty-first.

JAMES F. FIELDER,

By the Governor:

*Governor.*

THOMAS F. MARTIN,

*Secretary of State.*

## PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, The Comptroller did, on the fifteenth day of January, nineteen hundred and seventeen, under the provisions of an act entitled "An act to amend an act entitled 'A further supplement to an act entitled " 'An act to provide for the imposition of State taxes upon certain corporations and for collection thereof,' " approved April eighteenth, one thousand eight hundred and eighty-four,' which supplement was approved June third, one thousand nine hundred and five," which amendment was approved March eleventh, one thousand nine hundred and fourteen, report to the Governor a list of all corporations coming under this said act; and

WHEREAS, The following-named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year 1914, under the laws of the State of New Jersey, and made payable into the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void; unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, JAMES F. FIELDER, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this proclamation that the charters of the following-named corporations so reported, and in default, to wit:

UNPAID TAXES FOR THE YEAR 1914.

Acme Body Co.  
 Acme Building Co.  
 Acme Operating Co.  
 Acorn Farm Co.  
 Acorn Photo Play Co., Inc.  
 Acquackanonk Mills.  
 Adam and Koch.  
 Adchair Co.  
 Ad-Electric Co.  
 Adler and Sons.  
 Aero Fire Alarm Co.  
 Agri Co.  
 Ajax Chemical Co.  
 A. J. Milliette Printing and Publishing Co.  
 Alberse Real Estate Co.  
 Albert's Wash-Clean Compound Co.  
 Alca Vacuum Cleaner Co.  
 Alderman Scheininger Loan and Investment Assn.  
 Allegheny Improvement Co.  
 Allen Cigar Co.  
 Allen's.  
 Allen Tobacco Co.  
 Allen Union Realty Co.  
 Alma Laboratories, Inc.  
 Alma Park, Incorporated.  
 Alvord and Smith Realty Co.  
 A. Maybaum and Sons.  
 Ambrose Matthews and Co.  
 American Exhibition Co.  
 American African Trading Co.  
 American Automobile Co. of Philadelphia.  
 American Brick and Clay Manufacturing Co.  
 American Buckram Co.  
 American Commercial Advertising Co.  
 American Corporation of Finance.  
 American Credit Co.  
 American Feedograph Co.  
 American Grass Products Co.  
 American Lemon Juice Products Co.

American Linde Refrigeration Co.  
American Loan and Brokerage Co.  
American Lumber Co.  
American Mechanics' Hall Co.  
American Metal Package Corporation.  
American Monitor Co.  
American Ozokerite Mining Co.  
American Potteries Co.  
American Protection and Patrol Co.  
American Reduction Co.  
American Ribbon Finishing Co.  
American Silk Manufacturing Co.  
American Space-Saver Co.  
American Theatrical Co.  
American Tile & Clay Products Co.  
American Trading and Manufacturing Co.  
American Trimmer Manufacturing Co.  
American Water Works and Guarantee Co.  
American Wet Wash Laundry, Inc.  
American Wire-Cloth Co.  
American Zinc and Acid Co.  
Ames Improvement Co.  
Amsterdam Fireproof Construction Co.  
Amsterdam Progressive Investment Association.  
Analgesol Chemical Co.  
Anderson Heating Co.  
Anthony Baking Co.  
Antilles Coffee Co.  
Anti-Magnetic Compass Co.  
Apollo Amusement Co.  
Aquavac Co.  
Arcola Land and Improvement Co.  
Ariston Specialty Co.  
Arlington Country Club.  
Arlington Silk Co.  
Arlington Typewriter Co.  
Arthur Van Ness Co.  
Aschenbach Heelstrates Co.  
Associated Stores of America.  
Astor Amusement Co.  
Atlantic City Lumber Co.

Atlantic County Telephone Co.  
 Atlantic Harbor Construction Co.  
 Atlantic Realty Co.  
 Atlantic Spring Bed Co.  
 Atlantic Vehicle Co.  
 Audo Theatre Co.  
 Aurora Manufacturing Co.  
 Automatic Fire Protection Co.  
 Automobile Co. of Phila.  
 Automobile Engine Tester Co.  
 Auto Accessories Co.  
 Auto Tires Sales Co.  
 A. Van der Vliet Moving and Trucking Co.  
 Avon Realty Co.  
 Avri Chemical Co.  
 Aymar & Bradley Co.  
 Badenhausen Boiler Co.  
 Badenhausen Water Tube Boiler Co. of New Jersey.  
 Baechlin Window Frame Co.  
 Bailey & Bridge Co.  
 Bainton and Endiso, Inc.  
 Bakers' Specialty Co.  
 Balbroisker Brotherhood Loan Association.  
 Baldwin Auto Garage, Inc.  
 Ballentine and Gilland Co.  
 Banker & Investor Co.  
 Banner State Development Co.  
 Barnay Hotel Co.  
 Barnegat Co.  
 Barranca Copper Co.  
 Barrett Construction Co.  
 Bartek Tailoring Co.  
 Bassick Gold Mine Co.  
 Batz Building and Construction Co.  
 Bayonne Construction Co.  
 Bayonne Launch Co.  
 Bayonne Plumbing and Contracting Co.  
 Bayonne Society for Small Borrowers.  
 Beach Amusement Co.  
 Beach Glen Mining Co.  
 Bearskin Lake Realty Co.

Bell Cotton Fabric Co.  
Belleville Avenue Loan Association.  
Bellewood Realty Co.  
Bell Vacuum Washer Manufacturing Co.  
Benton-Atlas Valve Co.  
Berbice River Farming Corporation.  
Bergen Amusement Co.  
Bergen Candy and Specialty Co.  
Berham Construction Co.  
Berkley School of Art, Inc.  
Bernardsville Land Co.  
Berry Building and Construction Co.  
Beta Fertilizer Co.  
Binsse Machine Co.  
Bi-State Realty Co.  
B. & J. Pepsin Gum Co.  
Blackstone Sales Co.  
Blanchite Paint Co.  
Block-Goldberg Co.  
Bloomfield Home and Land Co.  
Bloomfield Publishing Co., Inc.  
Blue Ribbon Garage Co.  
B. M. L. Co.  
Bogota Market Co.  
Boiling Springs Mineral Water Co.  
Bolechower-Investment Association.  
Bonney Vehslage Tool Co.  
Booth Realty Co.  
Borland Grannis Co.  
Botoshaner-Brotherhood Loan Association.  
Botte & Gambardella, Inc.  
Bowker Construction Co.  
Bowlby-Cooke Piano Co.  
Boyd Commercial Loan Association.  
Bradley Copper Process Co.  
Bradley Tanning and Finishing Co.  
Bradley-Winkler Coupler Co.  
Brady Specialty Co.  
Branch Brook Loan and Investment Ass'n.  
Bridgeton Hosiery Mills.  
Bridgeton Press Products Co.



Bridge-Water Inn, Incorporated.  
 Broad Amusement Co.  
 Broad Street Theatre Co.  
 Broadway Amusement Co. (No. 1).  
 Broadway Realty and Mortgage Co.  
 Brokaw Fish Co.  
 Bromley Market Co.  
 Brown Realty Co. (No. 3).  
 Bruce Investment and Loan Association.  
 Buchanan Lumber and Coal Co.  
 Buckley-Connelly Co.  
 Buffalo Bill's Wild West & Pawnee Bill's Great Far  
     East, Combined.  
 Burlington Hat and Cap Manufacturing Co.  
 Burlington Home Building Co.  
 Burnot Manufacturing Co.  
 Bushkill-Delaware Bridge Co.  
 Business Men's Association of Summit, N. J.  
 Business Mens Loan Association.  
 Busy Bee Photo Play Co.  
 Butler Acetylene Co.  
 Cahill-Grubb-Straker Co.  
 Cairo Construction Co.  
 Calabria Loan and Investment Co.  
 Calico Canyon Oil Co.  
 Califon Limestone Co.  
 Cambria Amusement Co.  
 Camden County Realty Co.  
 Camden Medicine Co.  
 Candy Butcher Shop Co.  
 Cape May Cedar Co.  
 Caravonica Cotton Plantation Co.  
 Carlstadt Button Co.  
 Carlton Academy.  
 Carolina Lumber Co.  
 Carolina Mica and Manufacturing Co.  
 Carteret Steel Co.  
 Casing Head Gas Co.  
 Cataract Motor Co.  
 Cecil Mackie, Inc.  
 Cedar Beach Realty Co.

Cedar Cliff Land Co.  
Cee Holding and Realty Co., Inc.  
C. E. Fenniman Co.  
Central Holding Co.  
Central Manufacturing Co.  
Central Storage Co. of Trenton, N. J.  
Centre Market Investment Association.  
Century Water Proofing Co.  
Chapman Trim Co.  
Charavay-Bodvin Co.  
Charles A. Craig Building Co.  
Charles C. Owen Co., Inc.  
Charles F. Kaegebehn.  
Charles L. Pitts Co., Inc.  
Charles Vreeland and Co.  
Charm Oil Co.  
Charter Shirt Co.  
Chase Lumber Co.  
Chelsea Bungalow Co.  
Chelsea Manufacturing & Supply Co.  
Chris. Hand Ocean Pier Co.  
Circle Loan Association.  
City Holding Co.  
City Land Co.  
Clairmont Co.  
Clarkford Manufacturing Co.  
Classen Lignum Co.  
Cliffside Motor and Supply Co.  
C. and L. Pump Co.  
Clydeford Construction Co.  
C. M. Glesner Co.  
Cockburn Co.  
Coffman, Wilkins and Sheppard Co.  
Collingswood Publishing Co.  
Collinsville Zinc Smelting Co. of New Jersey.  
Colonial Realty Co.  
Columbia Confectionery Co.  
Columbia Dredging Co.  
Columbia Plumbing and Heating Co.  
Columbia Property Corporation.  
Columbia Realty and Construction Co.

# PROCLAMATIONS.

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Combi Novelty Co.  
 Commerce Investment Co.  
 Commercial Auto Express Co.  
 Commercial Industrial League.  
 Commercial Mining and Milling Co.  
 Commercial Products Co.  
 Commercial and Realty Co.  
 Commuters Home Corporation.  
 Concrete Form Co., Inc.  
 Concrete Moulding Co.  
 Conroy Brothers, Incorporated.  
 Conservation Co.  
 Conservative Realty Co.  
 Consolidated Mercur Gold Mines Co.  
 Co-operative Glass Co. of Barnegat.  
 Cooper Construction Co.  
 Cooper Manufacturing Co.  
 Cornelius Kevitt, Inc.  
 Cornell Real Estate Co.  
 Corporation Service Co.  
 Coshocton County Oil and Gas Co.  
 Cossman Manufacturing Co.  
 Courier Publishing Co.  
 Court Investment Association.  
 C. P. Higgins Co.  
 Cranford Development Co.  
 Crawford County Oil Co.  
 Crescent Express and Transfer Co.  
 Criterion Amusement Co.  
 Cromwell Walker Co.  
 Crown Gasoline and Oil Co.  
 Croyden Motors Co.  
 Cuban Orange Growing Association.  
 Cubberly & Company.  
 Cumberland Co.  
 Czortkower Investment and Loan Assn.  
 Dalton-Tumulty Co.  
 Dancz Chemical Co.  
 David C. Griffith, Inc.  
 Davis Trap Rock Quarry Co.  
 Dean Manufacturing Co.

Dean Specialty Co.  
DeForge Belting Co.  
Delaware Manufacturing Co.  
Delmond Manufacturing Co.  
Demisurgical Supply Co.  
Democrat Publishing Co.  
De Mott Express Co.  
Denman Glass Co.  
Detachable Umbrella Co.  
Development Co. of Cuba.  
DeWitte Dyeing and Bleaching Works.  
D. Hollander and Co.  
Direct Line Telephone Co. of New York.  
Ditmas Oil Co.  
Dumont Land and Home Building Co.  
Dunellen Coal and Supply Co.  
Dunn and Hanson Garage and Repair Co.  
Dunn-Oliver Lumber Co.  
Durling Grocery Co.  
Dus' Troy, Limited.  
Eagle Metal Co. of New Jersey.  
Eagle Progress Association.  
Eagle Secret Lock Co.  
Earl E. Litz Co.  
East India and African Rubber Co.  
East Jersey Match Co.  
Eastern Home Co.  
Eastern Marble Mosaic Co.  
Eastern Silk Spinning Co.  
Eastern Wagon Works.  
E. B. Taylor, Inc.  
E. C. Hazard & Co.  
Economy Cash Grocery Co.  
Economy Coal Co. of New Jersey.  
Economy Soap Manufacturing Co.  
Edward H. Smith Co.  
E. F. Allen Co.  
Eight Avenue Loan Association.  
Eighteenth Avenue Investment Association.  
E. J. Turner, Incorporated.  
Eldredge Co.

Electric Shop.  
 Electrical Specialties Co.  
 Elgin Creamery.  
 Elizabeth Avenue Merchants Investment Assn. of Elizabeth, N. J.  
 Elizabeth Italian Investment Co.  
 Ellor Hat Co.  
 Elmwood Realty Co.  
 Elycroft Estates.  
 Ely-Norris Safe Co.  
 Empire Auto Supply Co.  
 Empire Lace and Embroidery Co.  
 Engle Hardware Co.  
 Englewood Pharmacy.  
 Equitable Land and Mineral Developing Co.  
 Era Co.  
 Essex County Investment Association.  
 Euclid Co.  
 Eureka Candy Co.  
 Evans Chemical Works, Inc.  
 Eveland Electric Riverter Co.  
 Eveland Engineering and Manufacturing Co.  
 Everlasting Trunk Co.  
 Excelsior Auto Garage.  
 Excelsior Wet Wash Co.  
 Excursion and Transportation Co.  
 Fairlawn Ribbon Co.  
 Fairmount Amusement Co.  
 Fairview Investment & Loan Assn.  
 Fairview Realty Assn.  
 Famous Twenty-Five and Fifty Cent Department Store Co.  
 Fardon, Van Riper Co.  
 Farmers' Co-operative Bone Fertilizer Co.  
 F. C. D. Inner Tube Protector Co.  
 Feakes Garage Co.  
 Federal Adjustment Co.  
 Federal Fuel Co.  
 Feder Silk Throwing Co.  
 F. Eliot Low Co.  
 Ferguson and Kenyon, Inc.

F. G. Smith Piano Co. of Newark, New Jersey.  
F. I. Bennett Construction Co.  
Fidelity Development Co.  
Fidelity Investment Assn. of Newark, N. J.  
Fidelity Realty Co.  
Fifteenth Ward Investment Assn.  
Filter Sand Co. of N. J.  
Financial Reform Publishing Co.  
Finegan Zabriskie Co.  
Finished Parts Manufacturing Co.  
First Chudnower Investment Assn.  
Fischer Greenfield Co.  
Five Corner Investment and Loan Assn.  
F. L. C. Martin Automobile Co.  
Fleckenstein Bros. Co.  
Floyd Omstead Co.  
Forest Homesite Co.  
Four Corners Securities Co.  
Frank Bergen, Inc.  
Franklin Investment Co.  
Franklin L. Lewi Co.  
F. R. Boice and Co.  
Frederic J. Lau Co.  
Fred. Greenwood, Inc.  
Freeman Printing Co.  
Freeport Tungsten Lamp Co., Inc.  
French Brick and Tile Co.  
F. R. Long Co.  
Fulton Realty Co.  
Furst Co.  
Garage and Supply Station.  
Garfield Realty Co.  
Garland Corporation.  
Geach and Colt, Inc.  
Gehman Liquid Pump Co.  
Gem Co.  
Gem Exploration Co.  
General Debenture Co.  
General Emergency Finance Co.  
General Products Co.  
George F. Conklin Co.

George H. Reed, Incorporated.  
 Geo. Lewis and Co., Incorporated.  
 George Stern, Inc.  
 George W. Kephart, Incorporated.  
 Georgetown Ice Manufacturing Co.  
 German American Importing Co.  
 German-American Lithographing Co.  
 German Fur Dyeing and Dressing Co.  
 Gertsch's, Inc.  
 Gibson-Krugler-Cranberry Co.  
 Gifford Garage Co.  
 Gilbert Publishing Co.  
 Gillette-Mount Co.  
 Gillette Specialties Co.  
 Globe Cigar Co.  
 Globe Investment Co.  
 Goeller Iron Works.  
 Goldenthal Bros., Inc.  
 Golf Terrace Land Co.  
 Good Luck Mine Developing Co.  
 Good Roads, Incorporated.  
 Goren Realty Co.  
 Gottlieb and Co.  
 Grand Amusement Co.  
 Great Eastern Commission Stables, Newark, N. J.  
 Greater Atlantic Development Co.  
 Greer Filter Manufacturing Co.  
 Greylock Land Co.  
 Griffith-Powers Co.  
 Grobart Co.  
 Grogan Catering Co.  
 Grove Improvement Co.  
 Guarantee Development Co.  
 Gunn Quality Gas Iron Co.  
 Hackensack Terminal and Development Co.  
 Hackmatack Inn Co.  
 Haddon Avenue Realty Co.  
 Hahn Jewelry Co.  
 Hall, Clark and Co.  
 Hamilton Embroidery Co.  
 Hannum Lumber Co.

Harbor Mills Co.  
Harris Grocery Co.  
Harrison Mercantile Co.  
Harrison Pipe Nipple Co.  
Harrison Water Proof Materials Co.  
Harry Schalcher, Incorporated.  
Harvey and Co.  
Hausbeck-Smith Lumber Co.  
Havana Dry Dock Co.  
Hawthorne Lumber and Supply Co.  
Hayden Specialties Co.  
Hayes Brothers Co.  
H. Baer Co.  
Healy Box Corporation.  
Heck-Smith Co.  
Hegeman Shoe Co.  
Heilbron Brothers, Incorporated.  
Helion Electric Co.  
Helion Heater Co.  
Helmetta Department Store.  
Helvetia Knitting Mills.  
Henderson Iron Works.  
Hendricks Manufacturing Co.  
Hengeveld Bohl Silk Co.  
Henry Harrison Co., Incorporated.  
Henry J. Brown Co.  
Henry Robrecht Realty and Investment Co.  
Herbert G. Whitehouse, Incorporated.  
Herman L. Shick Co.  
Hermes Candy Co.  
H. H. Wouters, Incorporated.  
Highlands Leasing Co.  
High Silk Co.  
Hilke Realty Co.  
Hill Investment Assn.  
Hilltop Realty Co.  
Hindley and Co.  
Hirson and Son.  
H. L. Bush Cigar Co.  
Ho-ho-kus Estates.  
Holle-Huckman Co.



Holloware Process Co.  
 Holly Printing Co.  
 Hollywood Farms Co.  
 Home Seekers' Mutual Investment Co.  
 Home Service Co.  
 Home Tire Co.  
 Homestead Realty Co.  
 Horsley Laboratories Co.  
 Hotel Casino.  
 Hotel Co-operative Ice Co.  
 Hotels Co. of America.  
 Hudson and Bergen Automobile Co.  
 Hudson Chronicle Publishing Co.  
 Hudson Cigar Manufacturing Co.  
 Hudson Cloak and Suit Co., Inc.  
 Hudson Granite Co.  
 Hudson Leather Co.  
 Hudson Metals Co.  
 Hudson Milling Co.  
 Hudson Ozone Machine Co.  
 Hunt Amusement Co.  
 Hurwitz, Incorporated.  
 H. W. Morehouse, Jr., Co.  
 Hydro Manufacturing Co.  
 Hygeia Baths Co.  
 Ideal Construction Co.  
 I. H. C. Motor Express Co.  
 Illinois Hoynes Safety Powder Co.  
 Imperial Bowling Academy.  
 Imperial Curtain Co.  
 Imperial Gas and Electric Fixture Co.  
 Imperial Lumber Co.  
 Imperial Theatre Co.  
 Independent Farm Co.  
 Independent Ice Co. of Sussex, N. J.  
 Independent Investment Co.  
 Independent Press, Inc.  
 Industrial Products Co. of New Jersey.  
 Industrial Realization Co.  
 Ingle-Hunt Motors Co.  
 Inland Navigation & Supply Co.

Institute Realty Co.  
Intercounty Co.  
International Beef Co.  
International Corporation.  
International Employment Exchange Co.  
International Engineering Co. of New Jersey.  
International Importing Co.  
International Lead Co.  
International Loan Assn.  
International Novelty Co.  
International Poultry Sales Co.  
International Power Co.  
International Præposit Co.  
International Sales Co.  
International Watch Co.  
Interstate Coal Co.  
Interstate Realty Investment Co.  
Irish Mountain Clay Co.  
Irvington Loan and Investment Assn.  
Isham-Ellsworth Co.  
Isidore Straus Investment Assn.  
Island Co.  
Island End Development Corporation.  
Italian American Express Co.  
Jacob Ludwig.  
J. A. Heath Co.  
J. and A. McKechnie Brewing Co.  
James A. Greaves Co.  
Jamesburg Shoe Co.  
James Kerr Securities Co.  
James L. Mason.  
James N. Morehouse Co.  
Jefferson Realty Co.  
J. E. Reilly Stone Co.  
Jersey City Provident Loan Assn.  
Jersey City Terminal.  
Jersey Butterine Co.  
Jersey Coast Water Co.  
J. E. Taylor and Co.  
J. G. Crawford Co.  
J. Howard Parker Co.

J. J. Henry Muller, Incorporated.  
 John Ashley Hosiery Co.  
 John Ellice Co.  
 John F. Conrad Co.  
 John Guire Co.  
 John Heath Co.  
 John J. Radley and Co., Inc.  
 John Mawhinney Co.  
 John O. Devlin Co.  
 John Hopkins Oil Co.  
 John T. Withers, Incorporated.  
 John Waferling Co.  
 Johnathan Steelman Realty Co.  
 Jongle Realty Co.  
 Jordon Ship Co.  
 Jos. F. Eberhard and Son.  
 Jos. F. Greer, Inc.  
 Jos. J. Hughes Contracting Co.  
 Joseph Walter Box Co.  
 Journal Co.  
 J. P. Arnold and Co.  
 J. T. Hunter and Co., Inc.  
 Junction Water and Improvement Co.  
 Junker Realty Co.  
 Justrite Products Co.  
 J. W. Ward Co.  
 Karr Supply Co.  
 Kaufman Silk Dyeing Co.  
 Kearny Hat Works.  
 Keen Moving Picture Target Co.  
 Kennedy Gas Saving Stove and Range Co.  
 Keystone Hat Manufacturing Co.  
 Keystone Metallic Bed Co.  
 Kilpack Smith Real Estate Co.  
 Kinemataphone Co.  
 King Solomon Investment Assn. of Newark, N. J.  
 Kinney Loan Assn.  
 Kinston Spinning Co.  
 Knobloch Investment Assn.  
 Konigsberg Excavation and Construction Co.  
 Kosmak Electrical Co.

Krasner Loan Assn.  
K-S Construction Co.  
Kuhnert Aerial Construction Co.  
Lackawanna Realty Co. of New Jersey.  
Lafayette Silver Manufacturing Co.  
La Follette Coal, Iron and Steel Co.  
Lakeside Park Land Co. (No. 1).  
Landstra Portable Automobile Turn Table Co.  
Lane-Rincon Mines Incorporated.  
La Rue Co.  
Lawyers Realty Co. of America.  
Lebanon Electric Light, Heat and Power Co.  
Leinad Realty Co.  
Lerman Loan and Investment Assn.  
Lermann Realty and Construction Co.  
Lewis Grease-Cup Co.  
L. F. Winckler Co.  
L. H. Allen and Brother.  
Liberty Construction Co.  
Liberty Investment Co.  
Liebig Extract Co.  
Limestone Products Co.  
Lincoln-Central Improvement Co.  
Lincoln Investment Co.  
Lincoln Water-proof Cloth Co.  
Lindsley and Cook, Inc.  
Linoprint Co.  
Lippincott Steam Specialty and Supply Co.  
Liquor Dealers' Co-operative Co.  
I. J. Bordo Co.  
L. Lustbader Investment and Loan Assn.  
Locke Drill Co.  
Locomotive Recorder Co.  
Lodi Realty Investment Co.  
Long Branch Amusement Co.  
Long Branch City Improvement Co.  
Long Branch Park Toboggan Co. of Syracuse.  
Longport Improvement Co.  
Lovell Construction Co.  
L. P. De Groot Sales Co.  
L. W. Potts Co.

Lyndhurst Home Building Co.  
 Lyn Oil and Varnish Co.  
 Lyons Herb and Medicine Co.  
 Maccarr Co.  
 MacDonald-Hultin Co.  
 Machine Manufacturing Co.  
 MacKinnon Co.  
 MacKinnon-Hitchens Co.  
 Magnesia Products Co.  
 Maignen Chemical Co.  
 Mainland Ice and Coal Co.  
 Mandeville, Inc.  
 Mank Amusement Co.  
 Manufacturers Distributing Co.  
 Margate Co.  
 Maris Silberberg Co., Inc.  
 Marlton Land and Improvement Co.  
 Mary A. Riddle Co.  
 Masonic Building Association of the City of Hoboken.  
 Maude Odell Co.  
 Maxwell Nut-Lock Manufacturing Co., Inc.  
 Max Wosnitzer Loan Association.  
 McBrides Excelsior Co.  
 McCracken Dairy Co.  
 McElroy Engine Co.  
 McLaughlin-Bushnell Co.  
 Mead and Co.  
 Meadowcroft Farms.  
 Meadows Development Co.  
 Mechanical Auto Tube Co.  
 Mechanical Rifle-Fire Control Co.  
 Mehlman Investment Association.  
 Meneely Bakery.  
 Mercantile Embroidery Works.  
 Mercantile Land Co.  
 Mercantile Manufacturing Co.  
 Mercer County Gas Co.  
 Mercer Drug Co.  
 Mercer-Queens Realty Corporation.  
 Mercer Realty Co.  
 Merchants Co-operative Co.

Merchants Investment Assn. of Elizabeth, N. J.  
Merrick Fire Proofing Co.  
Merritt Realty Co.  
Metal Specialties Manufacturing Co.  
Metropole Construction Co.  
Metropolitan Finance Construction Co.  
Metropolitan Investment Assn.  
Metropolitan Service Corporation.  
Metropolitan Telephone and Telegraph Co.  
Metuchen Hat Manufacturing Co.  
Metuchen Pottery Co., Inc.  
Mexico Realty Co.  
Michael H. Murray, Inc.  
Michigan Motor Sales Co.  
Middlesex Bridge Co.  
Middlesex Cement Products Co.  
Milburn Trap Rock Co.  
Milford Co.  
Milliken Brothers (Incorporated).  
Milton Investment Association.  
Miners' Safety Electrical Lamp Co.  
Mirabile Corporation.  
Mistletoe Silk Mills.  
Mitchell Watchung Silk Manufacturing Co.  
M. J. Costa Co.  
M. J. Steinberg Co., Inc.  
M-K Construction Co.  
M. and M. Cummings Co.  
M. & M. Tire Co.  
Mockridge Jewelry Co.  
Model Realty Assn.  
Modern Embroidery Works.  
Modern Manufacturing Co.  
Modern Specialty Co.  
Mohawk Belle Mining and Development Co.  
Monarch Printing Co.  
Monmouth Beach Club House Co.  
Monmouth Building and Improvement Co.  
Monmouth Investment Assn.  
Montclair Painting and Decorating Co.  
Montclair Sanitary Laundry Co.

· Montgomery Investment Assn.  
 Montgomery Real Estate Co.  
 Morris County Livery and Garage Co.  
 Morris Levy Loan and Investment Assn.  
 Morris Sand Co.  
 Morristown Automobile School.  
 Morse Co.  
 Mortgage Co. General.  
 Mosquito, The.  
 Motion Picture Portrait Co.  
 Moto-Picturegraph Co.  
 Motor Appliance Co. of America.  
 Motoring Industries Publishing Co.  
 Muller and Fricke, Inc.  
 Mutual Ice and Refrigeration Co.  
 Mutual Loan and Investment Assn.  
 Mutual Milk and Cream Co.  
 Mutual Realty and Investment Co.  
 Mutual Silk Manufacturing Co.  
 Nagolle Tropical Products Co.  
 National Assn. of Inventors.  
 National Bottlers Supply Co.  
 National Cloth Manufacturing Co.  
 National Display Co.  
 National Fireproof Door Co.  
 National Investment Co.  
 National Law Blank and Engraving Co.  
 National Medical Publishing Co., Inc.  
 National Metal Co.  
 National Oyster Co.  
 National Poultry Farms.  
 National Publishing Co., Inc.  
 National Transportation and Terminal Co. of New  
 Jersey.  
 National Wine and Cordial Co.  
 Naylor Hall Co.  
 Nelson Gorman Co.  
 Neversink Loan Association.  
 Newark Auto Sales Co.  
 Newark Base Ball and Amusement Co.  
 Newark Brass Plate Engraving Co.

Newark Business College.  
Newark Charcoal Co.  
Newark City Co-operative Assn.  
Newark Comb Manufacturing Co.  
Newark Hair Felt Co.  
Newark Investment Co.  
Newark Leather and Findings Co.  
Newark Mail Order House.  
Newark Savings Avon Investment Assn.  
Newark Sheet Metal Co.  
Newark Stadium Motordrome.  
Newark Stadium Motordrome Amusement Co.  
Newark Wrapping Machine Co.  
Newbern Box Co.  
New Brunswick Realty Co.  
New England Flexible Ladder Co.  
New England Mills Stores.  
New Fayette Hotel Co.  
New Hampshire Mining and Milling Co.  
New Haven Iron and Steel Co.  
New Idea Realty Co.  
New Jersey Automobile Exhibition Co.  
New Jersey Clay Brick Co.  
New Jersey Collection Agency.  
New Jersey Construction Co., Inc.  
New Jersey Exporting and Importing Co.  
New Jersey Hat Works.  
New Jersey Hygeia Ice and Cold Storage Co.  
New Jersey Manufacturing Co.  
New Jersey Novelty Co., Inc.  
New Jersey Siegwart Flooring Co.  
New Jersey Trading Co.  
New Jersey Unit Brick and Tile Co.  
Newmarket Roller Mills.  
New York and Atlantic City Navigation and Pier Co.  
New York Baking Powder Co.  
New York Distributing Co.  
New York Glass Co.  
New York and New Jersey Brick Co.  
N. Y. and N. J. Manufacturers & Retailers Protective Assn.



New York Piano Stool and Manufacturing Co.  
 New York Printing Ink Co.  
 New York Simplex Auto School.  
 New York Society for Small Borrowers.  
 New York Yellow Trading Stamp Co.  
 Non-Capsizable Aero Plane Co.  
 Non-Slip Tile Co.  
 Norman System Land Co.  
 Norris W. Brown Co.  
 North Arkansas Zinc Mines Co.  
 North Bangor Slate Co.  
 North End Hotel Co.  
 North Jersey Amusement Co.  
 North Jersey Milk and Cream Co.  
 Northern New Jersey Power Co.  
 Norwood Garage, Inc.  
 Novelty Credit Co.  
 Novelty Stamping Co.  
 Nuall Co.  
 No. 12 East 12th St., Inc.  
 No. 36 East 20th St., Inc.  
 Nutley Homes Corporation.  
 Nutley Manor Land Co.  
 Oakland Coal Co.  
 O. A. R. Motor Co.  
 Ocean County Land Co.  
 Ocean Pearl Button Works.  
 Office Specialty Manufacturers.  
 Official Entry Card Publishing Co.  
 Ohio Land and Improvement Co.  
 Oil and Gas Exploration Co.  
 Old Pier Co.  
 Olympia Candy Co.  
 Ontario Amusement Co.  
 Oradell Dairy Farms.  
 Orange Amusement Co.  
 Orange Express Co.  
 Orange Hay and Grain Co.  
 Orlando Gas and Oil Co.  
 Orpheum Amusement Co.  
 Osgood Oil Grooving Machine Co.

Otto Brandt, Incorporated.  
Oxford Homes Co.  
Pacific Investment Assn.  
Packer House Hotel Co.  
Paint Rock Coal Co.  
Palmer Manufacturing Co.  
Palmyra Silicate Brick Co.  
Panama Development Co.  
Panama Pepsin Gum Co.  
Par-Kul Wheel Co.  
Pasco Land Co.  
Passaic County Building Assn.  
Passaic Falls Throwing Co.  
Passaic Glass Co.  
Passaic Herald Printing Co.  
Passaic Mortgage Co.  
Passaic Park Co.  
Passaic Reduction Co.  
Patcong Park Co.  
Paterson Burglar Alarm and Messenger Co.  
Paterson Composition Co.  
Paterson Dyeing and Finishing Co.  
Paterson Realty and Construction Co.  
Paterson Sanitary Plumbing and Heating Co.  
Fatterson and Crimmins Co.  
Patterson Hydro Positive Transmission Co.  
Patterson Shoddy Mills.  
Pavonia Land and Investment Co.  
Payton Musical and Comedy Co.  
Peabody Coal Co.  
Penn Amusement Co.  
Penn Building Co.  
Pennsylvania Coal and Lighter Co.  
Peoples Co.  
Peoples Omnibus Co.  
Peoples Realty and Improvement Co.  
Peoples Realty Investment Co.  
Peoples Transportation Co.  
Pequannock Estates.  
Percy S. Warman and Hans Almind.  
Perfection Specialty Manufacturing Co.

Perry Plantation Co.  
 Perth Amboy Plumbing Co.  
 Perth Amboy Transportation Co.  
 Peter Amend's Sons.  
 Pezzetti Automatic Street Sweeper Co.  
 P. F. Kaine Co.  
 Philadelphia Amusement Co.  
 Philadelphia Commercial Co.  
 Philadelphia Junior Holy Name Camp.  
 Phillipsburg Daily Press.  
 Phillipsburg Silk Co.  
 Phoenix Mining Co. of Paterson, N. J.  
 Phoenix Realty Co.  
 Picturegraph Co.  
 Pine Forest Co.  
 Pippert Press, Inc.  
 Polish Cavalry Military Ass'n, May 3d, 1791, under  
     the Protection of St. Mary, Polish Queen.  
 Pompeii Mining and Milling Co.  
 Pope-Hartford Auto Co.  
 Portable Scaffolds Co.  
 Potomac Realty Co.  
 Poucher-Stanbery Poultry Farms.  
 Poured Concrete Co.  
 Power Development Co.  
 Premier Distributing Co. of New Jersey.  
 President Drug Co.  
 Prest-O-Ceal Co.  
 Preston Leather Co.  
 Preston Silica Co.  
 Prince Tire Co.  
 Progressive Brick Company of New Jersey.  
 Progressive Investment Assn. of Elizabeth, N. J.  
 Progressive Times Co.  
 Public Loan Association.  
 Public Savings and Loan Association.  
 Pullen Porcelain Specialties Co.  
 Puncture Cure Sales Co.  
 Purity Milk Co.  
 Puro Manufacturing Co.

Quick Shine Polish Co.  
Rain Proof Screen Co.  
Ransom Wave Motor Co.  
Rapid Display Machine Co.  
Raposo Export Co.  
R. B. MacLea Co.  
Reading Exhibition Co.  
Realty Corporation.  
Realty Corporation of Cape May.  
Realty Corporation of North America.  
Realty Improvement Co. of Montclair.  
Reddan Specialty Co.  
Red Rock Spring Water Co.  
Red Star Co.  
Regent Raincoat Co.  
Reich Investment Co.  
Reinhards Express.  
Reinhold Noflux Aluminum Solder Co.  
Reliable Credit Clothing Co.  
Reliance Gas Mantle Co.  
Reo Knitting Co., Inc.  
Resisto Luggage Co.  
Retailers' Cooperative Cigar Co.  
Revere Fine Brick and Tile Co.  
Rex Rotary Gas Engine Co.  
Rex Specialty Co.  
Rhwa Construction Co.  
Richard M. Cooley Co.  
Richmond Kaolin Co.  
Richmond Loan Association.  
Riker Realty Co.  
Rinek Aero Manufacturing Co.  
Riverdale Iron Mining Co.  
River Edge Heights Co.  
Riverview Land Co. (No. 1).  
R. N. A. Syndicate, Incorporated.  
Roberts Manufacturing Co.  
Robinson-Lewis Co.  
Rockaway Brick Co.  
Rocky Hill Auto Bus Co.  
Rogers Grocery Co.

Ronson Specialty Co.  
 Roosevelt Investment Association.  
 Roper and Schwartz Co.  
 Rose Silk Co.  
 Roselle Garage, Inc.  
 Roselle Laundry Co.  
 Rosenberg Investment Assn.  
 Rosenhayn Face Brick Co.  
 Roseville Construction Co.  
 Roslyn Realty Co.  
 Rowland Firth and Son Co.  
 Royal Amusement Co..  
 Royal Machine Co.  
 Royal Security Co.  
 R. S. Bayley Co.  
 Rumson Transit Co.  
 Rural Transportation Co.  
 Ruthbrouck Realty Co.  
 Rutherford Construction Co.  
 Rutherford Gardens Co.  
 Sackett Wall Board Co.  
 Saddle River Estates.  
 Safety Signal Co.  
 St. Charles Co.  
 Salem Auditorium Co.  
 Salem Realty and Development Co.  
 Sales Service Co.  
 Sam Dressler, Inc.  
 Sam Konigsberg and Brother Co.  
 Samson Silica Co.  
 Samuel Gemeiner, Inc.  
 Samuel L. Jeffries and Sons, Inc.  
 Samuel Spies Co.  
 Sarouk Renovating Co.  
 Savoy Loan and Investment Association.  
 Sayre-Ford Manufacturing Co.  
 Scheuer Co.  
 Scheuers Market.  
 Schneyder and Allen Co.  
 Schroeder Engineering Co.  
 Schroder Heating and Ventilating Co.

Schultheis-Wilson Hotel Co.  
Scientific Appliance Co., Inc.  
Scofield and Co.  
Scott Land Co.  
S. E. Bowker Co.  
Security Investment and Mortgage Co.  
Sed Manufacturing Co.  
Seifert and Baime, Inc.  
Selser Bro. Co.  
Semel Investment Association.  
Sewaren Transportation Co.  
S. & F. Auto Co.  
Shareholders Realty Association.  
Shasta Co.  
Sheridan Storage and Warehouse Co.  
Shields and Co.  
Shields Realty Co.  
Shisler, Gaskill & Benkhart, Inc.  
Shuttle Machine Improvement Co.  
Siegwart Beam Co. of America.  
Siftings Publishing Co.  
Silver Lake Aviation Co.  
Simplex Homes Co.  
Singleton-Hills Co.  
Sirena Manufacturing Co.  
Smith General Construction Co.  
Smith and Hansell, Inc.  
Smith-Harmon Realty Co.  
Smith-Schoonmaker Co.  
Social Centers Corporation of New Jersey.  
Souder and Heck Co.  
South Belmont Construction Co.  
South Jersey Basket, Lumber and Development Co.  
South Jersey Glove Manufacturing Co.  
South Jersey Plate Ice Manufacturing and Storage Co.  
Southwestern Anthracite Coal Co.  
Specialty Company of New Jersey.  
Specialty Waist Store.  
Specialty Weaving Co.  
Spencer-Scott Co.  
Springer Amusement Co.

Springfield Construction and Amusement Co.  
 Springfield Loan Association.  
 Square Motor Horn Co.  
 S. Scheur and Sons, Inc.  
 Standard Concrete Stone Co.  
 Standard Match Co.  
 Standard Scale and Supply Co.  
 Standard Soda Stores Corporation.  
 Stanford Metal Railroad Tie Co.  
 Stanley Golliet Co.  
 Star Construction Co.  
 Star Investment Co.  
 Star Silica Co.  
 Steamer Westerner Co.  
 Steller Photoplay Co.  
 Sterilized Grain Co. of New Jersey.  
 Sterling Building Co.  
 Sterling Credit Co.  
 Sterling Hill Farms.  
 Sterling Meaker Co.  
 Steward Sanitary Can Co. of Delaware, Maryland and  
 Virginia.  
 Still Alarm Co. of New Jersey.  
 Strand Haven Co.  
 Strathmere Hotel Co., Inc.  
 Stratton Trading Co.  
 S. T. Resnick Co.  
 Stucky Trucking and Rigging Co.  
 Stuyvesant Realty Co.  
 Summit Garage Co.  
 Summit Realty and Improvement Co.  
 Sunnybrook Stock Farm Co.  
 Sunnyside Poultry Farm, Inc.  
 Surety Investment Co.  
 Surgess Concrete Building Block Co.  
 Surrey Avenue Land Co.  
 Susquehanna Realty Co.  
 Swaims.  
 Swinehart Tire and Rubber Co. of New Jersey.  
 S. Z. Marks Co.  
 Taxi Service Co. of Trenton, New Jersey.

Taylor Chemical Co.  
Taylor, Joergens and Co.  
Taylors Anchor Edge Flashing Co.  
Terespoler Loan and Investment Association.  
Textile Commission Co.  
Textile Mills Co.  
Textilla Mill Co.  
T. F. Brennan Hat Manufg. Co.  
Thomas Cogan Realty Co.  
Thomas G. Sheen Co.  
Thomas Howard Co., Inc.  
Thomas J. Beardmore Co.  
Thom Realty Co.  
Three Ply Cup Co.  
Thurstans Waters Co.  
Tippecanoe Securities Co.  
Tip Top Ten Cigar Co.  
Tobacco World Corporation.  
Trans-Oceanic Films Leasing Co.  
Trenton Ink Co.  
Trenton Paper Box Co.  
Trio Embroidery Works.  
Tube Company.  
Twin Rocks Coal Co.  
Tygert Fertilizer Co.  
Uneeda Sales Co.  
Unigraph Register Co.  
Union County Baking Co.  
Union Cranberry Co.  
Union Drug and Manufacturing Co.  
Union Hotels Co.  
Union National Security Association.  
Union Packing Co.  
Union Park Development Co.  
Union Realty Co. (No. 1).  
Union Realty Co. of Camden, N. J.  
Union Tool and Supply Co.  
United Clothing Company, Inc.  
United Commercial Securities Co.  
United Confections Stores Co.  
United Light and Power Co.



United Manufacturing Co.  
 United Neverfall Horseshoe Pad Co.  
 United Star Clothing Co.  
 United States Car Wheel and Manufacturing Co.  
 United States Loan and Investment Association.  
 United States Tire Filler Co.  
 Universal Auto Co.  
 Universal Clothes-Drier Co.  
 Universal Motor Truck Co. of New Jersey.  
 Universal Patents Manufacturing Co.  
 Universal Safety Tread Co.  
 Universal Weaving Co.  
 Utah Consolidated Oil and Land Co.  
 Utilities Securities Co.  
 Vacuum Cleaner Manufacturing Co.  
 Vacuum Cleaner Sales and Installation Co.  
 Val Bergen Cut Glass Co.  
 Van Der Veer and Brooks Co.  
 Vauxhall Home Co.  
 Vegetable Products Co.  
 Ventnor Syndicate.  
 Ventrte Manufacturing Co.  
 Vesta Manufacturing Co.  
 Veta Manufacturing Co.  
 Vile Hay and Grain Co.  
 Villa Development Co.  
 Vineland Farmers Exchange.  
 Wade and Kernan Co.  
 Walker Bros. Lumber Co.  
 Walker Wood Products Co.  
 Walter A. Cross Engineering Co.  
 Wanmassa Realty Co.  
 Wannop-Anderson Baking Co.  
 Warman-Boardman.  
 Warren Investment Co.  
 Water Front Realty Co.  
 Waverly Terrace Co.  
 W. B. Atwater and Co.  
 W. B. Kandle, Inc.  
 W. C. Andrews Co., Inc.  
 W. C. D. Motor Car Co.

Webb Folding Box Co.  
Webster Smelting and Refining Co.  
Wesche Co.  
Westchester Chemical Co.  
West Haddonfield Land Co.  
West Hudson Realty and Construction Co.  
Western Egg Yolk Co.  
Westfield Holding and Construction Co.  
W.-F. Realty Co.  
W. G. Root Construction Co.  
Wharton Express Co.  
Wheeler Jewelry Co.  
Whitehead and Whitehead, Inc.  
Whitehouse-Le Compte Manufacturing Co.  
Whitman-Warren Film Co.  
Whitmier and Filbrick Co.  
Wilderness Poultry Farm, Inc.  
Wildwood Crest Improvement Co.  
Wilkirk Electric Co.  
William D. Gilman Co.  
William G. Bailey Co.  
William G. Campbell Co.  
William J. Lynch Co.  
William T. Jones, Inc.  
Wm. Y. Webbe Co.  
Williams Gerberich Shoe Co.  
Williamson Co.  
Willow Grove Ice Manufacturing Co.  
W. J. Rich Development Co.  
Woodbridge Manufacturing Co.  
Woodhull and Martin Co.  
Workings Men's Realty Associates.  
Wynapine Farm Co.  
Yankee Products Corporation.  
Zin Bell Co.  
Zion Loan Association.  
Zucker and Levett and Loeb Co.  
are void, and all powers conferred by law upon such corporations, and each of them are hereby declared inoperative and void.

PROCLAMATIONS.

1045

Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of  
[SEAL] January, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States, the one hundred and forty-first.  
JAMES F. FIELDER,

Attest:

*Governor.*

THOMAS F. MARTIN,  
*Secretary of State.*

Endorsed: "Filed Jan. 15, 1917.

THOMAS F. MARTIN,  
*Secretary of State.*"

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PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

WHEREAS, There exists considerable agitation for the encouragement of the "Big Brother" movement, wherein fathers will be urged to take more interest in the affairs of their sons, so that the young manhood of the State may have the benefit of the experience of the older men and be guided in the right direction, avoiding pitfalls and missteps which are occasioned through ignorance and absence of the spirit of brotherly love and fatherly interest;

NOW, THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, believing that the citizens of the State should be urged to join in such a movement, do hereby proclaim and request that Sunday, the twenty-fifth day of March, 1917, be known and observed as Boy's DAY throughout our State, and especially in the churches and Sunday-schools of New Jersey.

I suggest and request to the pastors of churches throughout the State that all sermons on the morning of March twenty-fifth give special expression to the thought of co-operation between father and son and the

promulgation of the "Big Brother" movement; that the day have State-wide observance as "Boy's Day" in the Sunday-schools of our State, as well as in the churches; and

I further suggest and urge that all fathers of the boys of the State endeavor to be better comrades to their boys and more like big brothers during the coming year than they have ever been before. I call upon the fathers of the boys of this State not to forget that they were once boys, not to expect their sons to believe what they do just because fathers believe it, and not to expect their sons to do what they do just because their fathers do it, and I respectfully suggest to the fathers of the boys of our State that if they have any ideals that they would like passed on to the next generation, that they pass them on through their sons, to the benefit of posterity, the strength of the government and the happiness of the New Jersey home.

Given under my hand and the Great Seal of the State of New Jersey, this first day of  
[SEAL] March, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States, the one hundred and forty-first.

WALTER E. EDGE,

By the Governor:

*Governor.*

THOMAS F. MARTIN,  
*Secretary of State.*

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### PROCLAMATION.

In response to the many proffers of co-operation at this critical time on the part of patriotic citizens of our State, both men and women, I wish to express my deep appreciation and at the same time to call their attention to the first and most urgent help they can render.

Two regiments of the National Guard have been called to the colors, and it seems very probable that others will follow. What we need now above all things is enlistments in the National Guard, in order that the

ranks be filled to full war strength of approximately two thousand men per regiment, as stipulated by law.

I am grateful for the earnest offers of citizens to form home defense leagues, inspire census propaganda and their other activities along many allied lines, but what New Jersey most needs is *men*, and I will deeply appreciate co-operation on the part of the people of the State toward securing enlistments in the various organizations of the National Guard. In this field of endeavor our citizens can show their practical co-operation in the first responsibility of the Government.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-sixth day of March, A. D. one thousand nine hundred and seventeen, and in the Independence of the United States, the one hundred and forty-first.

WALTER E. EDGE,

By the Governor:

*Governor.*

THOMAS F. MARTIN,  
*Secretary of State.*

PROCLAMATION.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

The period is one of uncertainty. There is no lack of confidence or patriotism, but the food raising, economic question is not as clear and distinct as we would have it. One sure way of dispelling the mist of uncertainty in this respect and re-establishing that stability which we should have is to increase the productivity of our farm lands.

The international uncertainty which faces the country and the uncertainty of food prices at home are closely related. The effect of this relationship may become more apparent as time goes on. For instance, nothing is more important to a country in a state of war than the morale of the people. No one will dispute the fact

that the cost of living has much to do with the spirits of a people at war. War entails certain sacrifices. One of these is financial. The country expects to expend money and to expend it liberally in vindicating human rights and the principles of liberty set forth in the President's message. This means taxation and a natural increase in the cost of living unless something is done to naturally reduce the cost of living through increasing the supply of foodstuffs. The only answer is more farming, intensive farming and widespread interest in agricultural pursuits among citizens of non-military age and those who for one reason or another are not called away to the colors. Therefore, in addition to being a preparedness measure, because of its usefulness in increasing the country's food resources in times of war, the "on-to-the-farm movement" has merit as a task of peace.

It is scarcely necessary to interest the people in agriculture. It is a pursuit that appeals to human instincts because it is a work in the great outdoors. What is most necessary is to instruct those people who have absolutely no knowledge of the first rudiments of farming.

The following dates prevail generally in the central part of the State; and in the southern counties the dates would naturally be earlier, and in the northern counties later:

<i>Seeds for 100 Feet of Drill.</i>	<i>Planting Time.</i>
Beans, 1 pint, . . . . .	April 20-July 20.
Corn, $\frac{1}{2}$ pint, . . . . .	April 20-July 20.
Cucumber, 1 ounce, 50 hills, . . . . .	April 20-June 20.
Onion Sets, 1 quart, . . . . .	April 1.
Peas, 1 quart, . . . . .	April 1.
Potatoes, 4 quarts, . . . . .	April 1.
Pumpkins, 1 ounce, . . . . .	May 1.
Radishes, 1 ounce, . . . . .	April 1-May 15.
Spinach, 1 ounce, . . . . .	April 1-20.
Squash, 1 ounce, 30 hills, . . . . .	May 1.
Turnips, $\frac{1}{2}$ ounce, . . . . .	May 1.
Parsnips, 1 ounce, . . . . .	April 1.

Realizing the value to the State and to the country of such a campaign in agricultural education at this particular time,

NOW, THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim Saturday, April twenty-first next, as PLANTING DAY, and the week immediately following as PLANTING WEEK, the former to be participated in principally by the younger folks and the latter by the grown-ups. I urgently suggest and recommend that this Proclamation be read in every class room in every public school in this State, and that the teachers at the same time, after securing all information from the State Department of Agriculture, direct the attention of the pupils to the products which can be most advantageously raised in their particular section of the State, together with the proper time for planting and all other necessary information. It is further suggested and recommended that PLANTING DAY, particularly, be observed by the pupils of the public schools in the establishment of home gardens, and that PLANTING WEEK be observed and marked by the citizens of our State generally by the establishment of home gardens on private or public plots of land available and suitable. It is further urged and recommended that immediate steps be taken by the State Department of Agriculture, the State Agricultural College and the State Department of Public Instruction for complete co-operation in the proper promulgation of this Proclamation among all of the schools of the State and also among the governing bodies of the various municipalities in the State, in order that the home garden idea may be given every possible encouragement.

Given under my hand and the Great Seal  
of the State of New Jersey, this fourth day  
[SEAL] of April, A. D. one thousand nine hundred  
and seventeen, and in the Independence of the  
United States the one hundred and forty-first.

WALTER E. EDGE,

*Governor.*

By the Governor:

THOMAS F. MARTIN,

*Secretary of State.*





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# DECREES OF DISSOLUTION

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(1051)



## Decrees of Dissolution.

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### IN CHANCERY OF NEW JERSEY,

In pursuance to the provisions of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

<i>Name.</i>	<i>Filed.</i>
Oradell Farms Dairy Company, . . . . .	May 1, 1916.
Browe Company, . . . . .	May 24, 1916.
New Jersey Gardens Company, . . . . .	June 7, 1916.
Cranmer Sea Food Company, . . . . .	Sept. 13, 1916.
Pompton Pink Granite Company, . . . . .	Sept. 27, 1916.
American Finance and Securities Company, . . . . .	Dec. 12, 1916.
Newark Daily Advertiser Publishing Company, . . . . .	Feb. 26, 1917.
Hover Incubator Manufacturing Company, . . . . .	April 3, 1917.
Standard Piano Company, . . . . .	April 25, 1917.



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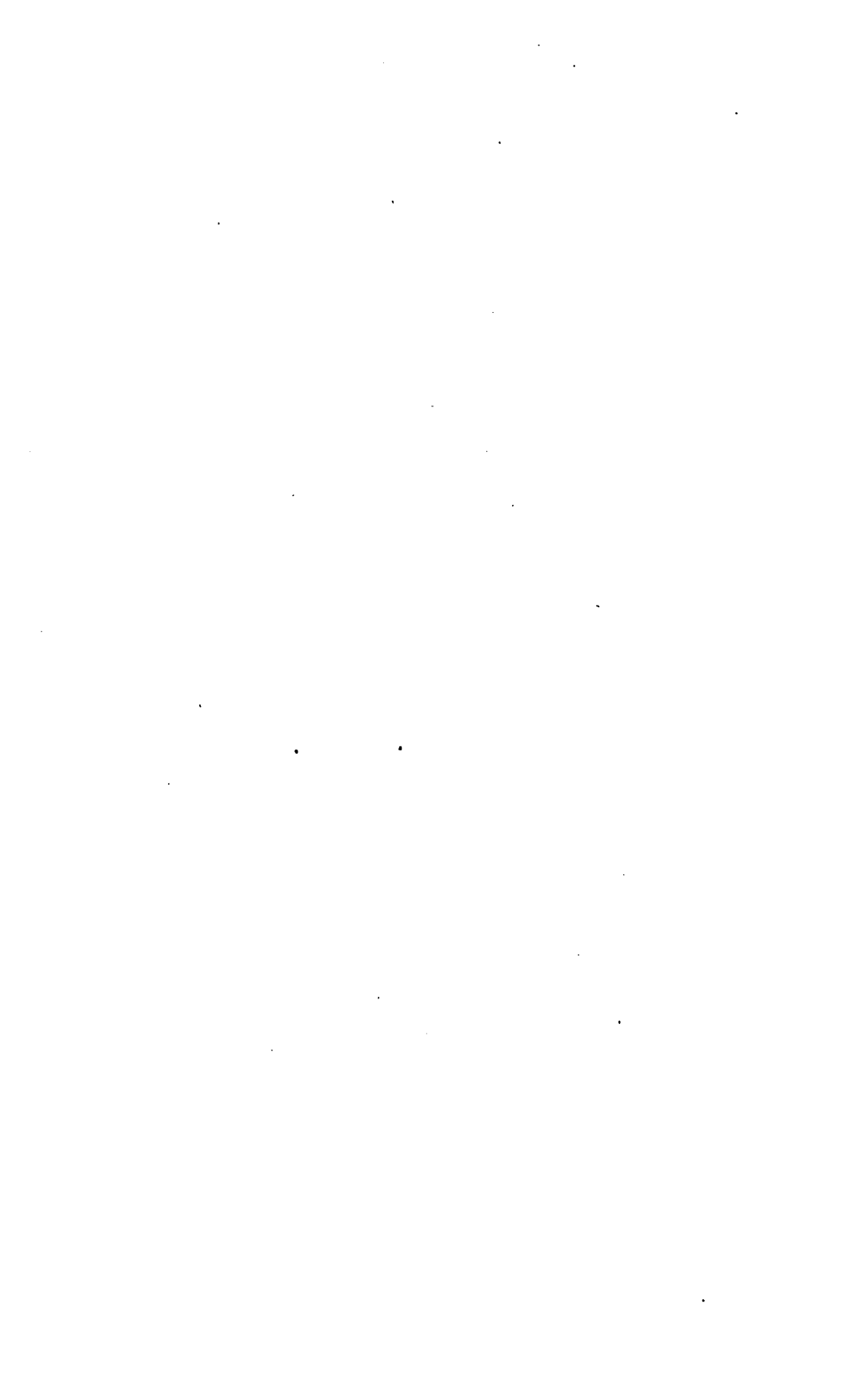
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# Change of Corporate Title of Municipalities.

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(1055)



## **Change of Corporate Title of Municipalities.**

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In pursuance to the provisions of Chapter 200 of the Laws of 1911, the following changes of corporate titles of cities have been filed in the office of the Secretary of State:

"The Mayor and Common Council of the City of Salem" changed to "City of Salem," January 20, 1915.

"The Mayor and Council of the Borough of Vineland" changed to "The Borough of Vineland," January 19, 1917.

"Borough of Garfield" changed to "Mayor and City Council of Garfield," April 19, 1917.

"Township of Acquackanonk" changed to "The Mayor and City Council of Clifton," April 26, 1917.

"Borough of North Wildwood" changed to "City of North Wildwood," April 30, 1917.

"The Mayor and City Council of Clifton" changed to "City of Clifton," May 5, 1917.





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# **Statements of Results of Municipal Elections.**

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(1059)



## **Statements of Results of Municipal Elections.**

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The following municipalities have filed in the office of the Secretary of State statements of the results of elections held as provided in Chapter 22, Laws of 1915 (P. L. 1915, p. 51).

Chapter 323, Laws of 1906, approved July 5, 1906 (P. L. 1906, p. 711), entitled

"An act to enable and empower cities to construct, maintain and operate a municipal light, heat and power plant or plants, and to purchase all necessary real estate and works and machinery for supplying light, heat and power for public and private use in such city."

The foregoing act was adopted by the City of Millville, May 9, 1916, and became effective May 31, 1916.

Chapter 355, Laws of 1912, approved April 1, 1912 (P. L. 1912, p. 619), entitled

"An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing salaries, and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)."

The foregoing act was adopted by the County of Warren, May 16, 1916, and became effective June 2, 1916.

Chapter 221, Laws of 1911, approved April 25, 1911 (P. L. 1911, p. 462), entitled

"An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissioners in this State."

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## 1062 RESULTS OF MUNICIPAL ELECTIONS.

The foregoing act was adopted by the Town of Montclair, June 6, 1916, and became effective June 15, 1916.

The foregoing act was adopted by the City of Lambertville, September 19, 1916, and became effective September 30, 1916.

Chapter 135, Laws of 1899, approved March 24, 1899 (P. L. 1899, p. 283).

"An act for incorporation of cities and providing for their officers, government and powers," approved March 24, 1899, and the several supplements and amendments thereto.

The foregoing act was adopted by the Borough of Garfield April 17, 1917, and became effective April 19, 1917.

Chapter 135, Laws of 1899, approved March 24, 1899 (P. L. 1899, p. 283).

"An act for incorporation of cities and providing for their officers, government and powers," approved March 24, 1899, and the several supplements and amendments thereto.

The foregoing act was adopted by the Township of Acquackanonk April 24, 1917, and became effective April 26, 1917.

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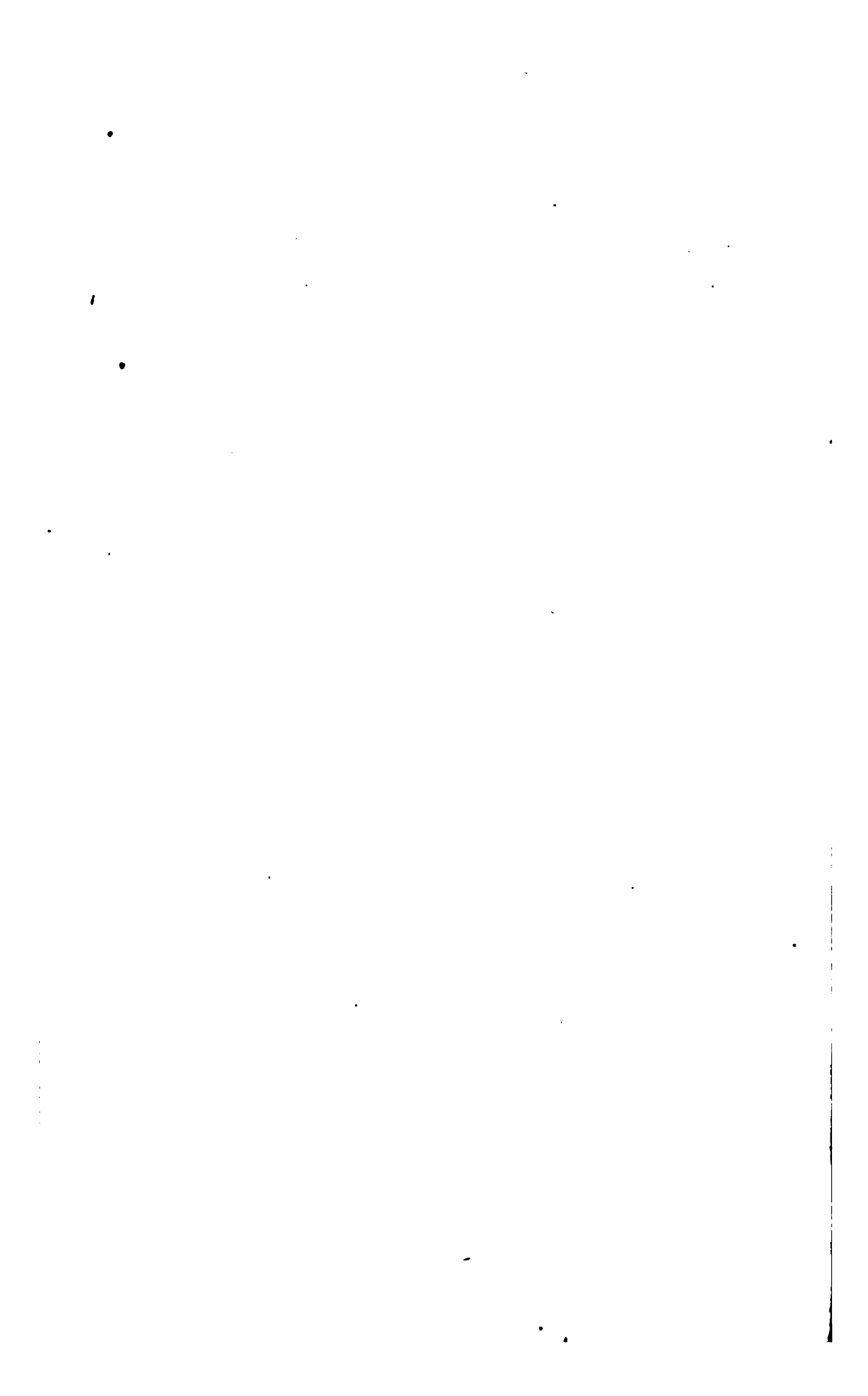
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